

THE MADRAS LEGISLATIVE ASSEMBLY.

Monday, 12th May 1952.

The House met in the Assembly Chamber, Government Estate, Mount Road, at eleven of the clock, Mr. Speaker (THE HON. SRI J. SIVASHANMUGAM PILLAI) in the Chair.

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

I.—CONDOLENCE RESOLUTION *re.* THE DEATH OF DR. U. RAMA RAO.

MR. SPEAKER :—“ It is my painful duty to inform the House of the death of Dr. U. Rama Rao, a former President of the Legislative Council.”

* THE HON. SRI C. RAJAGOPALACHARI :—“ Mr. Speaker, Sir, as you have observed, this morning, in the early hours, Dr. U. Rama Rao, one of the leading figures in the City of Madras, passed away in peace without any period of illness or pain preceding his end. I heard this from his bereaved widow this morning, and it gave me a kind of sad satisfaction. Dr. Rama Rao was born in 1874. He was the good Samaritan for all the young people in the City of Madras in the late nineties of the last century, among whom I was one, being a young student lodger in the City of Madras at that time. Dr. Rama Rao was for a long time member of the Madras Medical Council and was also its President. He was the editor of ‘ The Antiseptic ’ and ‘ Health ’ and he published several tracts on health and hygiene. He was President of the Indian Medical Association and Superintendent of the St. John’s Ambulance Brigade of this district. Sir, apart from the active and invaluable services he rendered in his own profession, he was an elected Member of the Council of the Corporation of Madras for many years, he was a member of the University Senate and of the old Legislative Council of Madras. He became a member of the Council of State in Delhi in 1927, which he resigned in 1930. When a popular Ministry took charge of Madras in 1937, he was a Member of the Legislative Council and was its elected President from June 1937 to March 1943. Hon. Members who served in the Legislature at that time know well the manner in which he discharged his duties. He was on exceedingly points, good-hearted and benevolent man. The enormous public service which he did during his long life is worthy of commendation. His two worthy sons, and grandson also, belong to that same noble profession. Dr. Rama Rao was a model citizen and model head of his family. The members of his family, I am sure, will maintain the noble traditions started by the father; all those he has left behind in his family will, I hope, maintain the same tradition of professional service and politics without egotism or rancour. Sir, I move, in accordance with the practice followed in this House, that the following resolution be adopted :—

‘ That this Assembly places on record its deep sense of sorrow at the demise of Dr. U. Rama Rao, a former

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distinguished President of the Legislative Council and a member of the Legislature for many years, and conveys its sense of sympathy to the members of the bereaved family'."

* SRI T. VISWANATHAM :—" Mr. Speaker, Sir, on behalf of my party and on my own behalf I associate myself wholeheartedly with all the words said by the Hon. Chief Minister. Dr. Rama Rao had been one of the most outstanding figures in the public life of this city. He was not merely a leading doctor, but he was one of the most popular doctors. When I first came to Madras as a student the first doctor's name I heard was the name of Dr. Rama Rao, because he was the most easily accessible doctor not only to the rich but to the poor, and particularly to the student population. He was very generous-hearted and broad-minded. He had the satisfaction of seeing, before he expired in ripe old age, one of his sons occupy a Minister's post in this important State of Madras. It is good that he expired without any pain or suffering. It is the kind of death all must aspire for after living to a good old age. I associate myself with the sentiments expressed by the Hon. Chief Minister in moving the resolution."

MR. SPEAKER :—" I associate the Chair with the sentiments expressed by the Hon. Chief Minister and the Leader of the Opposition. I knew well Dr. Rama Rao; he was a very popular doctor and he had a roaring practice. He was a Member of the Legislative Council for some time, and as President of the Legislative Council he maintained its prestige and dignity."

The resolution reads as follows :—

" This Assembly places on record its deep sense of sorrow at the demise of Dr. U. Rama Rao, a former distinguished President of the Legislative Council and a Member of the Legislature for many years, and conveys its sense of sympathy to the members of the bereaved family."

As a mark of respect to the deceased, I request hon. Members to stand in their places for two minutes, and pass the resolution.

" The resolution was passed unanimously, the hon. Members standing in silence for two minutes."

II.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Famine conditions in Karur and other taluks in Tiruchirappalli district.

* 1 Q.—SRI M. KALYANASUNDARAM: Will the Hon. the Minister for Land Revenue be pleased to state whether—

(a) any representations have been made to the Government by the local officials and public bodies regarding famine conditions prevailing in some parts of Karur, Kulittalai and Perambalur taluks of Tiruchirappalli district; and

(b) if so, the steps proposed to be taken by the Government to give immediate relief to the people in this area?

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THE HON. SRI M. A. MANICKAVELU NAICKER :—“(a) Yes. In April the Collector of Tiruchirappalli reported that Karur, Kulittalai and Perambalur taluks of Tiruchirappalli district were affected to some extent due to the failure of the north-east monsoon.

“(b) The conditions in the three taluks referred to by the hon. Member are not such as to warrant immediate relief. The Collector has however chalked out a programme of works including formation of roads and deepening of drinking water wells for execution at short notice in case of emergency.”

SRI V. BALAKRISHNAN :—“Sir, is the execution of such relief works undertaken by the Government officials directly and the wages paid to the workers by the Government officials themselves, or is it given over to contractors, who execute them and pay wages to the workers?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“Usually it is given to contractors, who execute these works. Now Collectors have been given ample discretion to execute these works departmentally in view of the emergency.”

SRI P. RAMAMURTHI :—“Sir, in view of the answer to clause (a) namely, that representations have been received by the Government from the district that famine conditions are prevailing, may I know on what basis Government came to the conclusion that the conditions are not so bad?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“Probably certain conditions that prevail in the famine-affected areas like Rayalaseema do prevail here also. There are probably symptoms of famine in certain parts of Tiruchirappalli district. To meet such cases the District Collector has schemes on hand and he will put them into execution the moment the emergency demands it.”

SRI K. VINAYAGAM :—“Sir, may I inquire whether similar representations have been made by the local officials of Chingleput regarding the prevalence of famine conditions in that district?”

MR. SPEAKER :—“The hon. Member may put a separate question.”

SRI T. NAGI REDDI :—“Sir, I would like to know what the Hon. Minister means when he says that certain conditions prevailing in Rayalaseema districts prevail in Tiruchirappalli district also and yet immediate relief is unnecessary. I would like to know why he feels that these areas do not require immediate relief.”

MR. SPEAKER :—“Which areas?”

SRI T. NAGI REDDI :—“Kulittalai, Karur and Perambalur.”

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THE HON. SRI M. A. MANICKAVELU NAICKER :—“ The situation in the areas referred to is not probably so acute as to warrant the immediate implementation of the relief measures that the Government contemplate.”

SRI T. VISWANATHAM :—“ Sir, the Hon. Minister says, that the conditions there probably are not serious. May I know whether any information has been received about the conditions there now? May I know what is the extent or kind of famine condition that would satisfy the Government to take immediate action? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Anticipating that the situation may worsen, the Collector has got schemes ready. The moment local officers report that it is necessary to start famine relief works, the Collector will implement his scheme.”

SRI P. B. K. RAJACHIDAMBARAM :—“ Is it not a fact that the Government ordered remission of kist in Pudukkottai thinking there is famine condition there, and so may I know why no famine relief work has been taken up there? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Notice.”

SRI R. V. SWAMINATHAN :—“ Sir, in view of the fact that famine conditions exist in this particular area and also in some other parts of Tamil Nad, but the attention of the Government has not been drawn to it because of lack of publicity as in the case of Rayalaseema, will the Government come forward and make a proper enquiry into the conditions prevailing in these areas? ”

MR. SPEAKER :—“ In which areas? The hon. Member should confine himself to the areas mentioned in the question.”

SRI R. V. SWAMINATHAN :—“ I mean Karur, Kulittalai and Perambalur taluks. Will Government come forward and make a proper inquiry to find out whether famine conditions prevail there? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ While Government do their part of the business I wish hon. Members also do their part by bringing to the notice of Government the condition of affairs in the districts.”

11-15 a.m. SRI S. DEIVASIGAMANY :—“ Will the Hon. Minister be pleased to state whether it will be possible to place the reports of the Collector of the district on the table of the House? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I want notice, Sir.”

SRI P. RAMAMURTHI :—“ The Hon. Minister replied in answer to a supplementary question that he was leaving it entirely to the discretion of the local officials to decide whether famine conditions prevailed or not. May I know in that connexion whether it is the policy of the Government to leave it entirely to local officials? ”

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THE HON. SRI M. A. MANICKAVELU NAICKER :—
 “ Local officials are given a certain amount of discretion and it is controlled by the Government.”

SRI T. C. NARAYANA NAMBIAR :—“ Does the Hon. Minister know that the attendance in elementary schools has fallen very low in these famine areas? ”

MR. SPEAKER :—“ I suggest to the hon. Member to put a separate question.”

SRI PILLALAMARRI VENKATESWARLU :—“ May I know whether the works that are being carried out are going to be given to contractors or will the Government themselves be taking responsibility for them? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I am afraid I have already answered that question.”

SRI P. B. K. RAJACHIDAMBARAM :—“ May I know, Sir, who is to decide whether there is famine or not? Is it the Government or the local officer? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I am afraid I have already answered that question. Both the local officers and the Government.”

SRI E. L. RAGHAVA MUDALIYAR :—“ Will the Hon. Minister be pleased to state whether he will consider the desirability of executing these famine relief works departmentally? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I have already told the House that it is also being done.”

SRI P. RAMAMURTHI :—“ Will the Government think of appointing some non-official committees, whose opinions also may be taken into account on this question? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I do not think the hon. Member wants to prolong the execution of the works; if that is his idea, I think the suggestion will be good but the Government want to hurry up with the work and bring immediate relief to the people.”

Promulgation of orders under section 144 in Madras City.

* 2 Q.—**SRI PILLALAMARRI VENKATESWARLU :—**
 Will the Hon. the Chief Minister be pleased to state—

(a) whether it is a fact that orders under section 144 were promulgated in some parts of the City of Madras on the 6th of May 1952, and if so, why; and

(b) whether it is a fact that the police authorities have arrested nine persons and caused injuries to many due to a lathi charge?

THE HON. SRI C. RAJAGOPALACHARI :—“ (a) It is a fact that orders under section 144, Criminal Procedure Code, were

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promulgated by the Commissioner of Police, Madras, prohibiting the taking out of processions, the shouting of slogans and the carrying of placards and flags in certain thoroughfares leading to the new Assembly Hall on 6th May 1952. As to the reason for the passing of the orders, the Commissioner of Police was satisfied that such demonstrations were likely to lead to disturbance of public tranquillity and peace. As immediate prevention of any such breach of the peace was necessary, the Commissioner of Police promulgated the orders on the afternoon of the 5th May.

“(b) It is a fact that the Police authorities effected some arrests. The number of persons so arrested was thirteen, not nine, and the arrests were for breach of the prohibitory order as well as disobedience of previous orders in force in the City as regards processions, etc., without licence.

“It is not true that the Police resorted to a lathi charge and therefore the latter half of this question does not arise.”

SRI PILLALAMARRI VENKATESWARLU :—“ May I know, Sir, from the Hon. the Chief Minister the grounds upon which the Government came to the conclusion that certain parties would lead a demonstration and that it would lead to violence and mischief and may I know whether any efforts were made by the Government to contact the leaders of the Communist Party and the United Democratic Front to ascertain whether it was a fact or not.”

THE HON. SRI C. RAJAGOPALACHARI :—“ The matter has been fully discussed in another connexion and I have nothing more to add in answer to this supplementary question.”

SRI T. VISWANATHAM :—“ The Hon. the Chief Minister said that the matter has been fully discussed in another connexion but he did not say on the basis of what information, allegations were made and on what ground the names of these parties were included in the order? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ The question has been answered with regard to the facts that were wanted. As regards the grounds upon which the Commissioner of Police acted, I have stated in answer to clause (a) of the question that he had certain information. As regards any further details, it is not possible nor is it convenient to answer by way of reply to a supplementary question.”

SRI P. RAMAMURTHI :—“ The Hon. Minister stated that it was not true that a lathi charge was made. May I in that connexion submit that 13 people were treated for injuries on account of the lathi charge by the Police and will the Government take that information from me and will they institute an enquiry into the matter? ”

MR. SPEAKER :—“ The hon. Member is giving information.”

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SRI P. RAMAMURTHI :—" I am also suggesting the institution of an enquiry."

THE HON. SRI C. RAJAGOPALACHARI :—" If the hon. Member has any complaint to make, he can certainly send the complaint to me and the Government will look into it."

SRI T. NAGI REDDI :—" The Hon. Minister said in the course of his reply that a previous order had also been infringed namely, that a licence was not taken out for taking out a procession. May I know, Sir, for how long the order for taking out a licence for holding meetings or taking out processions in the City has been in force and for how many more years will it continue? "

THE HON. SRI C. RAJAGOPALACHARI :—" The orders that were referred to, regarding the necessity for taking out a licence before a procession is taken out or a meeting is held, have been in force since 1950, and they were repeated in accordance with the Code of Criminal Procedure from time to time and they will end by about June this year. As to whether they will continue or not, it will depend upon the state of things at that time."

SRI S. DEIVASIGAMANY :—" May I know, Sir, whether the orders under section 144 were promulgated by the Commissioner of Police *suo motu* or in consultation with the Hon. the Chief Minister? "

THE HON. SRI C. RAJAGOPALACHARI :—" If the question is with reference to the last order issued on the 5th June 1952 the proposal was made by the Commissioner and it was finalised in consultation with the Government."

SRI PILLALAMARRI VENKATESWARLU :—" I wish to submit that my question has not been answered. The question was whether the leaders of the parties against whom such action was taken by the Commissioner of Police were sent for and consulted and their opinion ascertained before the Government gave their final sanction for promulgating orders under section 144, Criminal Procedure Code, against them."

THE HON. SRI C. RAJAGOPALACHARI :—" Information was brought on the 5th of May with reference to action to be taken on the 6th and at that time there was sufficient material for the Government to come to a conclusion in the matter. I did not consult the leaders, because the printed material relating to the matter was enough to show that there was sufficient ground for apprehension."

SRI K. VINAYAGAM :—" Is the Hon. the Chief Minister aware that in the course of giving effect to the orders under section 144, Criminal Procedure Code, an hon. Member of this House was humiliated by a Police official and he was actually manhandled while he was entering the Assembly? "

THE HON. SRI C. RAJAGOPALACHARI :—" I do not think that anybody was humiliated."

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SRI P. RAMAMURTHI :—“ Was it not possible for the Commissioner of Police to consult the leaders of parties against whom the orders were passed *ex parte*? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ This supplementary question is, in my humble opinion, mis-conceived. The question is not whether any particular parties were responsible or not responsible, but the real question was whether there was a danger of the demonstration itself and whether the apprehension was well-founded or not. Whether any party, A or B took part in it or made arrangements for it or another party did or did not attend a meeting in connexion with it, is not the question at issue, but the matter is with reference to the resulting apprehension for which there was ample ground, and the only point was that the demonstration should not be allowed to be held in the approaches to the Legislative Assembly. The fact that a particular party did or did not join in it, is a totally different issue and that was discussed the other day.”

SRI PILLALAMARRI VENKATESWARLU :—“ May I know, Sir, why then were the names of parties brought in, in that order if the purpose of the Government was only to prevent the demonstration taking place? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ There are two aspects of that question, one is whether certain disturbances were apprehended or not, and the other is the reasons for that apprehension, which may be partly correct or partly incorrect. The only question is whether there was sufficient justification for the apprehension. So far as the necessity for the promulgation of the orders was concerned, there was enough reason and the Commissioner was bound to state the grounds, broadly or in detail according to his discretion, and they were mentioned. As to whether any particular party mentioned did or did not do the particular thing alleged, is not really relevant for the question whether the order was necessary. It is only the entire totality of circumstances that is relevant for that purpose.”

SRI S. T. ADITYAN :—“ I wish to know, Sir, whether the printed material referred to by the Hon. the Chief Minister referred in terms to the particular political parties, namely, the United Democratic Front and the Communist Party functioning in this House and if so, whether he will be pleased to place the printed material on the table of the House? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ The printed material that I referred to gave sufficient ground for apprehending a demonstration, but the accuracy of the editorial statements is not at all relevant for the questions. Whether the Editor of the Dhina Thanthi or the Viduthalai spoke the truth is not the point, but only the attitude taken up by the Dhina Thanthi (with which the hon. Member is connected in a way) and the Viduthalai. Whether the printed materials

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were sufficient for the Government to apprehend on the evening of May 5, that there would be demonstrations on the morning and again in the evening of May 6, that is the only question. There was ample evidence and I will read it to the House if desired to show that no Commissioner of Police with his head on his shoulders and brains in his head could ignore the same." (Cheers.)

SRI P. RAMAMURTHI :—" According to the answer given by the Chief Minister there was sufficient ground for him to apprehend that there would be a demonstration, and I would like to ask him whether an apprehension of the demonstration alone would warrant issue of orders under section 144 or the material before him should warrant the inference that there would be a breach of the peace? "

THE HON. SRI C. RAJAGOPALACHARI :—" I have answered the question enough; I am afraid it is a debate really that is being conducted. I think questions are intended for eliciting information and not for eliciting arguments."

MR. SPEAKER :—" We shall pass on to the next question." 11-30 a.m.

SRI PILLALAMARRI VENKATESWARLU :—" Sir, now that the Hon. the Chief Minister himself has told us that this has become a debate, it is evident that most of the Members want more information. I therefore request you, Sir, to kindly allow a half-hour debate on this."

MR. SPEAKER :—" I have already allowed enough time for this question the other day and to-day. I am not therefore going to allow a half-hour debate."

Refusal by the Deccan Abkari and Sugar Factory to take sugarcane from the growers.

* 3 Q.—SRI M. KALYANASUNDARAM: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether any representations were made on behalf of the sugarcane growers of Karur and Kulittalai taluks of Tiruchirappalli district to the effect that the Deccan Abkari and Sugar Factory situated at Pugalur refuses to take the sugarcane from the growers; and

(b) whether the Government propose to take any action in the matter?

THE HON. DR. R. NAGANA GOUD :—" (a) Yes.

" (b) Yes. The Government have already asked the Factory Management to complete crushing of all the registered cane before closing down. The management's final reply is awaited.

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" Sir, since the answer was prepared, I understand the factory has been closed down without notice. The Government will enquire immediately into the rights and wrongs of the matter and will try to do what can be done."

SRI P. B. K. RAJACHIDAMBARAM :—" May I know, Sir, whether the Government before passing the previous order, enquired into the rights and wrongs of the representations of the ryots? "

THE HON. DR. R. NAGANA GOUD :—" Notice."

SRI P. RAMAMURTHI :—" Sir, are the Government aware that the sugarcane standing on the fields will become completely waste if this question is not immediately decided? "

THE HON. DR. R. NAGANA GOUD :—" Sir, I have said that the Government will immediately enquire into the rights and wrongs of the matter and will do what can be done."

MR. SPEAKER :—" I have allowed the hon. Member Mr. Kalyanasundaram to speak sitting in his seat as he is unwell."

SRI M. KALYANASUNDARAM :—" May I know the personnel of the management of the company? "

THE HON. SRI C. RAJAGOPALACHARI :—" Sir, I am sorry to interrupt. When the enquiry takes place, the whole question will be gone into. I am afraid the disclosure of the names of the persons may lead to prejudice. I therefore beg of the hon. Member not to put the question."

SRI M. KALYANASUNDARAM :—" Sir, the Hon. the Minister for Agriculture was pleased to say that an enquiry was about to take place immediately. Will the Government please take alternative measures to prevent deterioration of sugarcane and the consequent loss to the agriculturists? "

THE HON. DR. R. NAGANA GOUD :—" Everything that is necessary will be done by the Government."

SRI T. NAGI REDDI :—" Sir, asking for information, I would like to put it through you, Sir, is not prejudicing the case. I would like to know whether the Hon. the Chief Minister is not willing to reply simply because it is going to prejudice the case? "

THE HON. SRI C. RAJAGOPALACHARI :—" Sir, the hon. Member who put the question has been kind and reasonable enough not to repeat the question. I don't think it is good form for any hon. Member to insist on the names being mentioned, especially when my appeal has made an impression on the person who put the question. If the hon. Member wants to know what the kind of prejudice is and what the objections are for naming the persons, the answer may add to the difficulties. The Hon. Minister in charge has promised to do all he can and enquire into the rights and wrongs. I don't think there is any substance for further discussion. Whether he is a Mussalman or a Christian, does it make any difference except for prejudice? "

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SRI S. DEIVASIGAMANY :—“ On a point of order, Sir, I want to know whether the Hon. the Chief Minister is entitled to make a statement when the Hon. the Minister in charge is replying? ”

MR. SPEAKER :—“ Certainly.”

SRI P. B. K. RAJACHIDAMBARAM :—“ In spite of the advice of the Hon. the Minister for Agriculture, the factory authorities have closed down the factory. May I request the Government to take immediate steps so that the ryots do not have to suffer any further? ”

THE HON. DR. R. NAGANA GOUD :—“ Sir, the answer to clause (b) of the question was that immediate action would be taken in the matter? ”

SRI S. DEIVASIGAMANY :—“ Will the Government be pleased to state the loss incurred by the sugarcane growers? ”

THE HON. DR. R. NAGANA GOUD :—“ Notice.”

SRI M. KALYANASUNDARAM :—“ Are the Government aware that cultivation this year also is affected over a large area because of the adamant attitude of the factory authorities? ”

THE HON. DR. R. NAGANA GOUD :—“ The whole question will be gone into, Sir.”

SRI T. VISWANATHAM :—“ May I know the quantity of sugarcane that is lying idle on account of the closure of the factory? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ If hon. Members will pardon me and if you will permit me, Sir, I wish to state that I have received numerous telegrams on this point and it is necessary to look into the matter urgently and it is being done. Unfortunately the policy that we have to look into now is an old policy by which certain sugarcane areas have been registered and allotted by registration to certain factories to manufacture sugar out of cane. Luckily, I found on enquiry that, unlike in other areas in India, the liberty of the cane-growers to make their own jaggery has not been taken away in our State. It is a very good thing. By agreement there are certain conditions for the supply of cane to the factories and the manufacture of sugar, binding the factories and the cultivators of the area. The legal position must be examined and the rights and wrongs also have to be examined. The cane-growers derive more benefit by the factory's sugar manufacture, than by independent manufacture of jaggery. It is a state of affairs in which each gets bound to the other. Now, the factory owner says, ‘ My machinery has to be overhauled and I have to close it.’ We cannot simply by our order physically keep the machinery going. These are the difficulties we have to look into and hon. Members may rest assured that I shall have an eye on the difficulties of the cane-growers as well as the urgency of the repairs to the machinery

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that is alleged, and whether it is true that work has to be stopped. Whether the damage is much or small, we will try to minimise it as much as possible. This is my assurance to the poor sugarcane-growers. Hon. Members on the opposite side as also on this side are interested in the matter and the House may rest assured that everything that is possible will be done."

Revision of the price of paddy.

* 4 Q.—SRI R. KRISHNAN : Will the Hon. the Minister for Finance be pleased to state whether the Government have recommended to the Central Government, raising the price of paddy, and if so, why? "

THE HON. SRI C. SUBRAMANIAM :—" This Government had recommended to the Government of India an increase in the procurement price of paddy for the khariff year 1951-52 for the following reasons :—

- (1) The cost of production had increased;
- (2) Prices of essential commodities other than foodgrains had increased;
- (3) Procurement prices in Madras State were lower when compared to the other deficit States in the Indian Union causing a lot of heart-burning to the producers in this State. Protests against such discrimination were made in the Legislature and the Press;
- (4) A stimulus in the shape of increase in the price of foodgrains was necessary for the success of the Grow More Food Campaign and also to arrest the tendency on the part of producers to switch over to commercial crops for which higher prices were prevailing; and
- (5) The Government of India increased the pool prices of imported paddy and Orissa State was charging higher prices for its rice exports to this State.

SRI R. KRISHNAN :—" Does not this increase in the price of paddy increase the price to the consumer? Was the purchasing capacity of the consumer taken into consideration? "

THE HON. SRI C. SUBRAMANIAM :—" The increase was only annas eight per maund and it was not considerable."

SRI K. P. GOPALAN :—" Is it a fact, Sir, that the heavy export charges which the P.C.C. Societies impose are one of the reasons for the increase in the price of rice? "

THE HON. SRI C. SUBRAMANIAM :—" I don't think that factor has got anything to do with this, Sir."

SRI R. V. SWAMINATHAN :—" May I know, Sir, what the rates recommended to, and agreed by the Central Government were? "

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THE HON. SRI C. SUBRAMANIAM :—“ We recommended an increase of 10 per cent and the Central Government agreed to eight annas which works out to about 6½ per cent.”

SRI P. K. GOPALAKRISHNAN :—“ The Hon. Minister was saying that the prices of other commodities had increased and hence the price of paddy also was increased. May I know, Sir, whether the Government are aware that the prices of coconuts, arecanuts and other commodities in Malabar have gone down much and in view of this, is it not fair that the price of paddy also should be reduced? ”

THE HON. SRI C. SUBRAMANIAM :—“ Sir, that was only a temporary decrease and we can review the price of paddy when the prices of other commodities get stabilised.”

SRI M. NARAYANA KURUP :—“ Are the Government satisfied that the increased price would go to the actual cultivators and not to the middlemen and the absentee landlords? ”

THE HON. SRI C. SUBRAMANIAM :—“ We are paying this price to whoever sells the paddy to us.”

SRI T. VISWANATHAM :—“ The question was whether the Government would take steps to see that this increased price goes to the actual producer and not to somebody else. Instead of saying that they will pay the increased price to whoever comes before them, will the Government take steps to see that the price goes only to the producer? ”

THE HON. SRI C. SUBRAMANIAM :—“ Sir, under the procurement system, it is only the producer from whom the paddy is procured. Therefore, it can be presumed that the price goes to the producer only.”

SRI P. RAMAMURTHI :—“ Whom does the Government understand by the term ‘producer’—the man who actually tills the land or the landlord? ”

THE HON. SRI C. SUBRAMANIAM :—“ Whoever produces paddy, Sir.”

Payment of salaries to Members of the Legislature.

* 5 Q.—SRI K. KRISHNA RAO : Will the Hon. the Minister for Finance be pleased to state—

(a) whether it is a fact that the Hon. Sri B. Gopala Reddi, the then Minister for Finance, stated at a press conference in January 1952, that the newly elected Members of the Assembly, under the new Constitution, will be paid salary as from the day they were declared to have been elected;

(b) whether there is a proposal to pay salaries to Members of the Legislative Assembly as from 21st April 1952 instead of from the date they were declared elected; and

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(c) if the answer to clause (b) is in the affirmative, the reasons therefor?

THE HON. SRI C. SUBRAMANIAM :—“(a) There was no press conference held by the Hon. Finance Minister in January 1952.

“(b) & (c) Under Article 382 (1) of the Constitution, the old Legislative Assembly and Council ceased to exist, and the new Legislative Assembly and Council came into being, with effect from the date on which His Excellency the Governor issued his summons to the new Houses of the State Legislature to meet for their first session. As this summons was issued on 21st April 1952, the Members of the new Legislative Assembly are entitled to their salary only from that date, and till that date the Members of the old Legislature were entitled to draw their salaries.”

11-45 a.m. SRI K. KRISHNA RAO :—“Is there not a separate and specific article in the Constitution of India laying down the manner in which salaries are to be paid to the Members of the Legislative Assembly and the Legislative Council?”

THE HON. SRI C. SUBRAMANIAM :—“No, Sir. There is no provision in the Constitution regarding the payment of salaries and the date from which they should be paid. We are governed by the Payment of Salaries and Removal of Disqualifications Act of this State.”

SRI T. C. NARAYANA NAMBIAR :—“Is the Hon. Minister aware of any press conference in which the announcement referred to in the question was made?”

THE HON. SRI C. SUBRAMANIAM :—“I am not aware of any such conference.”

SRI V. BALAKRISHNAN :—“What is the value to be attached to the representative character of democracy if salaries are paid to Members who have been divested of their representative character?”

THE HON. SRI C. SUBRAMANIAM :—“It is a matter of opinion.”

SRI M. NARAYANA KURUP :—“Will the Hon. Minister for Finance be pleased to state whether these newly-elected Members were considered to be Members of the Assembly or not before the 21st April 1952, or do the Government consider that vacancies of membership occurred only after this date as contemplated under section 12 (2) of the Madras Payment of Salaries and Removal of Disqualifications Act.”

THE HON. SRI C. SUBRAMANIAM :—“We are not concerned with the status of the Members before 21st April 1952. The only point that arises in connexion with this question is, when they actually became entitled to the payment of salaries. We are governed by a specific Act and according to that Act, we have come to the decision that the only relevant date is the date of summoning.”

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SRI S. T. ADITYAN :—“ Will the Hon. Minister consider the whole question again in the light of another suggestion that we wish to make, viz., of the three conditions mentioned in section 12 (2) of the Madras Payment of Salaries and Removal of Disqualifications Act, the third condition regarding the occurrence of vacancies should not be taken into account. Is the Hon. Minister prepared to consider the question on those lines? ”

THE HON. SRI C. SUBRAMANIAM :—“ We have taken legal opinion and we have come to this decision. If fresh and better light is thrown, we will certainly welcome it.”

MR. SPEAKER :—“ Questions over.”

III.—RESOLUTIONS—WAIVER OF NOTICE UNDER RULE 120 OF THE ASSEMBLY RULES.

* **SRI T. VISWANATHAM :—**“ Sir, I gave notice of two resolutions—one under rule 48 of the Assembly Rules and another non-official resolution—requesting you to waive notice under rule 120 of the Assembly Rules. May I know whether they are coming up before the House to-day? ”

MR. SPEAKER :—“ I have not waived notice. If the notice had been waived, it would have been included in the agenda.”

SRI T. VISWANATHAM :—“ What about the other resolution coming under rule 48, regarding the policy underlying sales tax? May I know whether it is coming? ”

MR. SPEAKER :—“ If I had included it, it would have been on the agenda.”

SRI T. VISWANATHAM :—“ When will it be taken up? ”

MR. SPEAKER :—“ At the proper time.”

IV.—PANEL OF CHAIRMEN.

MR. SPEAKER :—“ I have to announce to the House that under rule 15 of the Madras Assembly Rules, I have nominated the following four Members of the Assembly to be the Panel of Chairmen for the first session of the Legislative Assembly newly constituted under the Constitution of India :—

(1) Sri S. Ramasamy Naidu.

(2) Mr. W. J. Fernandez.

(3) Janab K. M. Seethi.

(4) Sri P. Venkatasiviah.

V.—GOVERNMENT BILL.

THE MADRAS REQUISITIONED LAND (CONTINUANCE OF POWERS) BILL, 1952.

MR. SPEAKER :—“ We shall take up the next item on the agenda, The Madras Requisitioned Land (Continuance of Powers) Bill, 1952.”

* **SRI K. KRISHNA RAO :—**“ On a point of order, Mr. Speaker, Sir, this Bill which is sought to be moved relates to

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lands which have been requisitioned under the Defence of India Act, 1939, and that Act did not make any provision for payment of compensation."

MR. SPEAKER :—" The hon. Member is making a speech and is not raising a point of order."

* SRI K. KRISHNA RAO :—" Sir, it is against the fundamental rights guaranteed under Article 31 (2) of the Constitution of India and if the lands are in the possession of the Government, they are there by *jabardast* and not by law. Article 31 (2) definitely says :

' No property, movable or immovable, including any interest in, or in any company owning, any commercial or industrial undertaking, shall be taken possession of or acquired for public purposes under any law authorizing the taking of such possession or such acquisition, unless the law provides for compensation for the property taken possession of or acquired and either fixes the amount of compensation or specifies the principles on which, and the manner in which, the compensation is to be determined and given.'

Section 2 (xxiv) of the Defence of India Act (XXXV of 1939) only mentions the requisitioning of any property, movable or immovable, including the taking possession thereof and the issue of any orders in respect thereof. Therefore, what is contemplated is not the payment of any compensation and, as a matter of fact, to-day owners of many of the lands which have been requisitioned in the past under the Defence of India Act are not paid any compensation for their continued possession by the Government. So, it is *ultra vires* of the Constitution and becomes inoperative once the Constitution comes into operation. Therefore, I request the Hon. Speaker to rule the Bill out of order as it is *ultra vires* of the Constitution."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, I submit it is not a point of order. Rather it is in the nature of a complaint or grievance. I do not see any point of order in that."

MR. SPEAKER :—" I must inform the House that a point of order can be raised without notice if it arises in the course of the proceedings. In England the Speaker is assisted by a K.C. Here, I have not been given any such Legal Adviser. Even in England, if an hon. Member wants to raise a point of order, unless it arises out of the proceedings, he must give due notice. I suggest that we must follow that principle here also. In the previous Legislature, I have given a long ruling on this matter. The hon. Member can refer to it if he wishes. I think the Bill is in order. If the hon. Member still wishes to pursue the matter he can move the courts in the matter."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, I move that—

' The Madras Requisitioned Land (Continuance of Powers) Bill, 1952 (L.A. Bill No. 3 of 1952), be taken into consideration at once.'

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In this connexion, I want to say that this legislation is not in the nature of a new venture. It is only continuing a piece of legislation that is in operation now. Now, Sir, as the Statement of Objects and Reasons states, this legislation was in operation on account of the Defence of India Act, 1939, and then it was regularized by the Central Act XVII of 1947 and then again there was the Madras Act II of 1951. That Act having lapsed, it was necessary to pass an Ordinance (Madras Ordinance I of 1952) in March and this Bill seeks to regularize that Ordinance and make it into an Act. The matter is very simple. I find a number of amendments have been proposed and I am simply bewildered and I do not know what they really are. After all, this Bill merely wants that certain acts of Government in respect of certain properties which had been taken over by the Government should be regularized. This is an aftermath of the war. Just as it has affected many other walks of life and departments of administration, it has also affected our legislative work. Therefore, it is sought through this Bill to regularize for one year only the action of the Government in continuing to keep in possession the requisitioned properties. Everything will be set right during this period and there may not be any necessity for renewing the Bill again. Now, I would like to know what the nature of the objection from the other side is and then I will meet it."

MR. SPEAKER :—" The motion is—

' That the Madras Requisitioned Land (Continuance of Powers) Bill, 1952 (L.A. Bill No. 3 of 1952), be taken into consideration at once.'

Now, I will ask Mr. Venkateswarlu and Mr. Krishna Rao to formally move their amendments so that the motion and the amendments may be before the House for discussion."

SRI PILLALAMARRI VENKATESWARLU :—" Sir, I am given to understand that certain Members of this House want to oppose this legislation."

MR. SPEAKER :—" The hon. Member cannot anticipate those things. During the course of the debate, he will come to know about that.

" Let the hon. Member move the amendment that stands in his name."

SRI PILLALAMARRI VENKATESWARLU :—" Sir, I move—

' That the Madras Requisitioned Land (Continuance of Powers) Bill, 1952, be referred to a Select Committee consisting of 17 Members of the Assembly.' "

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SRI M. KALYANASUNDARAM :—" I second the amendment, Sir."

SRI K. KRISHNA RAO :—" Sir, I move—

' That the Madras Requisitioned Land (Continuance of Powers) Bill, 1952, be circulated for the purpose of eliciting public opinion thereon.' "

SRI VAVILALA GOPALAKRISHNAIAH :—" I second the amendment, Sir."

MR. SPEAKER :—" Now, the motion and the amendments are before the House for discussion."

SRI PILLALAMARRI VENKATESWARLU :—" Sir, now that the amendments have been moved, I want to say that certain Members want to oppose this Bill."

MR. SPEAKER :—" Nobody prevents the hon. Member from opposing it. The only thing is that it will save time if both the motion and the amendments are before the House for discussion. Otherwise, there will be too much of repetition."

* SRI P. RAMAMURTHI :—" Mr. Speaker, Sir, the Hon. Minister for Land Revenue, while moving this Bill, gave us practically little information as to why it has been necessary for the Government to come forward with this Bill. The only statement that he has made is the Statement of Objects and Reasons mentioned in the Bill and beyond that, no other information has been vouchsafed to this House."

12 noon. " Certain lands and certain properties were requisitioned between the year 1939 when the Second World War broke out, and 1945 when it terminated, for purposes which were connected or were even remotely connected with the war. The Government thought if necessary to keep these lands in their possession even subsequent to the expiry of the Defence of India Act. Now, nearly twelve years have elapsed after the outbreak of the war and it is seven years since the war ended and even to-day the Government do not care to place before the House the exact nature and extent of the properties they still hold under requisition, whose properties they are and why it is that the Government still consider it necessary to keep them under requisition even though the war ended seven long years ago. The Government do not place before the House the facts and yet they expect us to give them sanction to continue to keep these lands under requisition and put them to whatever use they desire according to their sweet will. This is my first objection.

" My second objection is that I thought that if we at least went through the Address of His Excellency the Governor some reasons would be found why the Government still considered it necessary to hold these lands under requisition. Even the Governor's Address has not vouchsafed us any reasons. All that we are told in the Address is ' as the work of derequisitioning of

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these properties could not be completed before the end of March 1952, immediate action had to be taken to extend the life of the Central Act referred to for a further period of one year from 1st April 1952.' I am not at all able to understand the meaning of this. 'Requisitioning' and 'derequisitioning' are certain well-known legal terms. Government deem it necessary to take possession of certain properties held by private individuals for certain purposes of Government and the moment that need ceases and the Act under which they were requisitioned expires or ceases to operate, the process of derequisitioning also begins to operate automatically. There is no question of Government finding itself unable to derequisition the properties before the 31st March 1952. When the Act ceases to be operative the properties also cease to be requisitioned property and, if the Government still want to continue to be in possession of these properties, they are no more doing so under any Act. It has been unlawful occupation all these days. I am not able to understand what is meant by the statement of His Excellency the Governor that the work of derequisitioning of these properties could not be completed before 31st March 1952. It may be that certain rules have to be complied with and certain formalities have to be gone through before handing over possession of the property to the individual to whom it belongs. This, however, does not mean that the properties cease to be derequisitioned property. The moment the Act ceases to operate the property is derequisitioned and there can obviously be no legal justification for the Government to continue to keep them under requisition and for coming to this House and telling us, 'You must now empower us to continue to hold on to these properties.' This is one aspect of the question and, in fact, the Government have not told us why they want to continue to be in occupation of these lands and to what use they want to put them.

" Apart from these general objections, I would also like to go a little more in detail into the provisions of the Bill and point out that this Bill as it is framed may not be acceptable to the High Court, if anybody chooses to question its provisions. I will not therefore be a party to this House rushing through this piece of legislation in haste without understanding its legal implications. In the past, I think, we have had enough of such pieces of legislation, the provisions of which have been held to be *ultra vires* of the Constitution by the High Courts and the Supreme Court. The Courts have also held that the Central Legislature or the Provincial Legislatures that passed such legislation were not competent to pass them. I do not think that this House should take upon itself the responsibility once again to get such a certificate from the judicial tribunals of this country. It is absolutely essential that before we push through any legislation we must try and find out whether that piece of legislation corresponds to the provisions of enactments that have already been enacted and does not offend the fundamental provisions of the Constitution itself about which this House, and indeed every Member of it, is concerned.

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" Sir, if the Government are anxious to have a legislation of this type and if they want this House to pass an enactment of this kind, conferring powers on the Government to continue to keep under requisition certain properties and even to requisition certain properties as being absolutely necessary for certain public purposes, I think it is necessary that the House must go into it with very great care, and for that purpose refer the whole Bill to a Select Committee or circulate it for eliciting public opinion so that we may not be guilty of passing any legislation in haste. That is why, I am very particular that this Bill must be gone into with a little more of care and thought.

" Now, Sir, let us go back into the history of this legislation. If you look at the Statement of Objects and Reasons you will find it stated that during the last war, lands and buildings were requisitioned under the Defence of India Act, 1939, and they continued to be subject to requisition under the Requisitioned Land (Continuance of Powers) Act, 1947 (Central Act XVII of 1947), that before the expiry of that Act on the 1st April 1951, its life was extended until the 1st April 1952 in so far as it related to immovable properties under requisition by or under the authority of the Central Government (Central Act IX of 1951) and that a similar extension of the life of that Act was necessary in so far as it related to immovable properties under requisition by or under the authority of the State Government and Madras Act II of 1951 was accordingly enacted. The provisions made were these, viz., that after the Defence of India Act expired, the Government of that day promulgated an Ordinance in 1946 which continued the provisions of the Defence of India Act for purposes of continuing to keep under requisition properties requisitioned under the Defence of India Act. Later on when the Legislative Assembly met they passed in 1947 the Central Act referred to before, viz., the Requisitioned Land (Continuance of Powers) Act, 1947, whose life expired on the 1st April 1952. Before that Act died a natural death in the normal course of events the Government of India thought, as I take it, for very good reasons that the provisions of this Act were contrary to the Fundamental Rights provisions laid down in Part III of the Constitution and that they would be held to be *ultra vires* if questioned in a Court, and so brought in another legislation referred to in paragraph 2 of the Statement of Objects and Reasons, viz., the Requisitioning and Acquisition of Immovable Property Act, 1952 (Central Act XXX of 1952), which received the assent of the President on March 15, 1952, and became law from that date. The very first section of this Act says that it completely repealed the Requisitioned Land (Continuance of Powers) Act, 1947. Therefore we arrive at a position between March 15 and March 30, 1952, when the 1947 Act of the Central Government referred to already and on which the Madras Government had passed its corresponding Act had ceased to exist. Therefore for 15 days, i.e., from March 15, the date on which the 1952 Act of the Central Government received the President's assent and March 30, the date on which the Madras Government passed its Ordinance, the powers which the Madras Government had under the

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1947 Act of the Government of India ceased to exist. There was, therefore, no property in the hands of the Madras Government which would be deemed to be requisitioned property between the 15th March and 30th March 1952. I am speaking on the advice of legal authorities and I would be very glad to know what the Advocate-General has got to say on this matter when I contend that if the Governor of Madras thought it fit to issue an Ordinance on the 30th March 1952 validating the provisions of the 1947 Act which ceased to exist on 15th March 1952, the Madras Government did not have in their hands any property which could be deemed requisitioned property. This Bill which is sought to be enacted to replace this Ordinance does not take away the fundamental fact that there was no requisitioned property with the Madras Government between March 15 and March 30, under the provisions of the 1947 Act. I am sure the Bill, if passed into an Act, will be declared *ultra vires* by any Court."

THE HON. SRI C. RAJAGOPALACHARI:—"What about the effect of clause 9 (2) of the Bill?"

* SRI P. RAMAMURTHI:—"I know there is a saving clause—clause 9 (2) which states—

'For the avoidance of doubt, it is hereby declared that the repeal of the said Act by the Central Ordinance III of 1952 and Central Act XXX of 1952 shall not be deemed to have affected the operation of the said Act, as respects any requisitioned land as defined therein which at the time of such repeal was subject to requisition by or under the authority of the State Government and for their purposes.'

I would submit that this saving clause will not in any way save this Bill, for the simple reason that I would like to refer to the judgment of the Madras High Court in what is called the Veerabhadriah case in 1949. The position may be briefly explained as follows. In 1947 the Madras Legislature passed what was called the Maintenance of Public Safety Act. Later on, in 1949 it was held by the Patna High Court and the Supreme Court that the extension of the provisions of such an Act by an order of the Executive Government in 1948 would have no legal effect. As a result of these two decisions, the Madras Government passed an Ordinance in 1949 which sought to validate the provisions of the 1947 Act even for the period from 1947 to 1949. In the Veerabhadriah case the Madras High Court held that this kind of validation was *ultra vires* and all that the Government of Madras and the Legislature were entitled to do was to seek immunity for those persons who had acted during this period in good faith thinking that the provisions of the Act of 1947 continued to exist and that the Act was in no way *ultra vires*. This was all that was conceded by the judgment of the Madras High Court. I therefore say that this saving clause cannot in any way save this Bill. The Ordinance will not in any way be upheld by a Court of Law. This is one aspect of the matter.

"Now, Sir, apart from these facts, let us take into consideration the various clauses in the Bill.

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12-15 " In the Central Act (The Requisitioning and Acquisition of
p.m. Immovable Property Act, 1952), certain fundamental principles
have been incorporated and they do not find a place in the Bill now
under discussion before the House. It became necessary for the
Government of India to enact this new piece of legislation (The
Requisitioning and Acquisition of Immovable Property Act, 1952)
because the old Act (the Central Act XVII of 1947) obviously
came into conflict with the Fundamental Rights in Part III of the
Constitution of India. The Hon. Chief Minister might think it
rather strange that I, a Member of the Communist Party, should
now come to defend the property rights of private individuals. The
Hon. Chief Minister, I know, has stated in the other House . . ."

MR. SPEAKER :—" The hon. Member should not refer here
to whatever has taken place in the other House."

* SRI P. RAMAMURTHI :—" I know the Hon. Chief
Minister has made statements that the Communist Party are
advocating nationalisation of lands, etc. I would like to inform the
House that the Communist Party has got a certain programme,
and the programme that is placed before the country by the Com-
munist Party is based on the development of our society. We are
not opposed to the holding of private property as such. In fact we
demand that the tillers of the soil should be given lands and that
property rights should be vested in them and not in the feudal
landlords. (The Hon. Chief Minister: 'It is a trap.') It might
be a trap. All the property rights of the common masses, ordinary
peasants and even those of the capitalists should be protected in
the existing state of society. That is why, the Communist Party
has come forward to defend the property rights which are sought
to be taken away arbitrarily by the Government under this Bill.
This is another reason why I want to oppose this Bill.

" I would like to draw the attention of the House to the pro-
visions contained in the Requisitioning and Acquisition of Immove-
able Property Act, 1952, passed by the Central Parliament and point
out the difference between the principles contained in the provisions
of this Act and those contained in the provisions of this Bill, now
before us, and I would say that itself constitutes a reason why the
Bill in the present form should not be enacted into law. The
House must take into consideration the reasons which impelled the
Central Parliament to change its legislation (Central Act XVII of
1947) in the particular way in which it had been done. Take the
question of requisitioning of property. The Central Act lays down
that the property that has been requisitioned must be for a public
purpose and the moment that property is held for any purpose
other than a public purpose it must automatically and immediately
be derequisitioned. This is one of the fundamental provisions that
has been included in the new enactment of the Central Parliament.

" Section 5 (1) of this Act (Central Act XXX of 1952—the
Requisitioning and Acquisition of Immovable Property Act, 1952)
states as follows :—

' All property requisitioned under section 3 shall be used for such
purposes as may be mentioned in the notice of requisition.'

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Under section 3 (1) of this Act, it is incumbent on the requisitioning authority to give notice to the person whose property is going to be requisitioned specifying therein the purpose of the requisition. The proviso to section 6 (1) states—

‘Provided that where the purposes for which any requisitioned property was being used cease to exist, the Central Government shall, unless the property is acquired under section 7 release that property, as soon as may be, from requisition.’

Therefore the Central Act lays down firstly, that the requisitioning authority must give notice to the person whose property is going to be requisitioned specifying therein the purpose of requisition, secondly, that the property requisitioned must be used for such purposes as may be mentioned in the notice of requisition and thirdly, the moment the purposes for which any property is requisitioned cease to exist the property must be restored to the owner, and it is not open to the Government to use that property for any other purpose. These provisions are mandatory in the Central Act as is evident from the use of the word ‘shall’ in those sections.

“ Clause 2 of the present Bill before the House reads as follows :—

‘All immovable properties which were requisitioned by or under the authority of the State Government and for their purposes under the rules made under the Defence of India Act, 1939 (Central Act XXXV of 1939), and which at the commencement of this Act continued to be under requisition by virtue of the Requisitioned Land (Continuance of Powers) Act, 1947 (Central Act XVII of 1947), Madras Act II of 1951 and Madras Ordinances 1 of 1952, shall continue to be subject to requisition until the expiry of this Act; and the State Government may use or deal with any such immovable property (hereinafter referred to as requisitioned land) in such manner as may appear to them to be expedient :

‘Provided that the State Government may at any time release any requisitioned land from requisition.’

Under this provision, it is not necessary for the State Government to inform the owners whose properties have been requisitioned about the use to which their properties are put. Having requisitioned properties in 1939 which may or may not be connected with a public purpose, it is not open to the Government, particularly in view of the Fundamental Rights conferred under Part III of the Constitution of India, now to deal in any manner they please with the properties requisitioned in 1939. Under this clause, the State Government may use or deal with any such immovable property in such manner as may appear to them to be expedient. This, in principle, is wrong for the Government to do. These properties were requisitioned in 1939, 1940, 1941, etc., before the Constitution of India came into force. After the Constitution of India which guarantees certain fundamental rights to all citizens of India came into force, it is absolutely necessary for the State Government to safeguard, in the matter of requisitioning of property, the Fundamental Rights in spirit as well as the letter of the law. I am of opinion that this provision goes against the rights conferred under Part III of the Constitution. Again, under this provision, the State Government can put to any use the requisitioned properties, which is against the Fundamental Rights guaranteed under the Constitution.”

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MR. SPEAKER :—" The hon. Member has already taken 30 minutes. He will soon finish his speech."

* SRI P. RAMAMURTHI :—" Clause 4 of this Bill states as follows :—

' If at any time the State Government are of opinion that it is necessary to acquire any requisitioned land for a public purpose they may acquire such land by publishing in the *Fort St. George Gazette* a notice to the effect that they have decided to acquire such land in pursuance of this section.'

Under this provision, it is not incumbent on the State Government to tell the people that the property so requisitioned is demonstrably for a public purpose. Under this provision, it is not even necessary to inform the parties concerned as to what exactly is the public purpose for which a particular property is sought to be requisitioned. All that is required is only the satisfaction of the Government or their Executive that in their opinion it is necessary to acquire a particular property for a public purpose and nothing more.

12-30 a.m. " In this Bill the State Government want to take absolute powers to requisition property. Let us contrast this with the Central Act. Section 7 of the Requisitioning and Acquisition of Immovable Property Act, 1952, says—

' Where any property is subject to requisition, the Central Government may, if it is of opinion that it is necessary to acquire the property for a public purpose, at any time acquire such property by publishing in the Official Gazette a notice to the effect that the Central Government has decided to acquire the property in pursuance of this section :

' Provided that before issuing such notice, the Central Government shall call upon the owner of, or any other person who, in the opinion of the Central Government, may be interested in, such property to show cause why the property should not be acquired ; and after considering the cause, if any, shown by any person interested in the property and after giving the parties an opportunity of being heard, the Central Government may pass such orders as it deems fit.'

Whereas in the Central Act, an opportunity is given to the owner of the property or other parties who are interested in it to show cause why the property should not be acquired, no such opportunity is given in this Bill. I am not saying that the provisions of the Central Act are good. I think that the ' public purpose ' specified in that Act must be demonstrably so in a Court of law. Part III of the Constitution guarantees certain Fundamental Rights and one of them is that no property shall be acquired unless it be for a public purpose. This right is a justiciable right ; in other words, when an affected person feels that the purpose specified is not a public purpose, it is open to him to agitate the matter in a Court of Law. Under this Bill, it is not necessary for the Government to specify even the purpose for which they acquire a property. Then how can a Court of law decide the matter ? On this very ground, I say that this Bill can be declared *ultra vires*. Clause 4 of the Bill reads :—

' If at any time the State Government are of opinion that it is necessary to acquire any requisitioned land for a public purpose, they may acquire such land by publishing in the *Fort St. George Gazette* a notice to the effect that they have decided to acquire such land in pursuance of this section.'

The clause is very defective and the powers conferred by it are open to abuse by the Government, as they may acquire a land and

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put it to any use they like. I am not prepared to clothe the Government with such absolute powers. What exactly the powers of the Government are should be made absolutely clear. I say that this Bill does not correspond to the spirit—I am not bothered whether the letter is fulfilled or not—of the Fundamental Rights guaranteed by our Constitution; it goes contrary to certain Fundamental Rights. It even differs from the Central Act in that certain safeguards provided in that Act do not find a place here.

“First of all, the Government must satisfy the House as to the need for keeping properties under requisition. If they satisfy us on this point, then it is necessary to go in detail into the wording of the various clauses to see that the Bill conforms to the Fundamental Rights and does not give absolute powers to the Government to deal with property in any manner they please. Therefore I oppose the motion that the Bill be taken into consideration. If the Bill is taken into consideration, then I support the amendment of Comrade Venkateswarlu for referring the Bill to a Select Committee.”

* SRI K. KRISHNA RAO :—“Sir, this Bill relates to properties which the Government took over from 1939 onwards on the specious plea of war. The Defence of India Act was not really necessary. It has a strange and peculiar history. War broke out on one fine morning. As the Leader of the Opposition in the Central Assembly said at that time, within two days, a ready-made Bill was placed before the Central Legislature. The Bill was passed not so much to prosecute the war as to trample the interests of the common man. This will be apparent if one reads the debate in the Central Legislative Assembly of those days, particularly the speeches made by the Members of the Opposition. That Act is a Draconian Act under which the Government can simply seize property and pass any order they like. That Act does not contain any of the safeguards for protecting the rights and interests of owners of land as are provided in the Land Acquisition Act. It is Nawab durbarism and nothing less; it is sheer autocracy. I want the House to realize the injustice perpetrated in the forcible taking over and expropriation of land under that Act during war time. In Visakhapatnam, Nellore, Ponneri and many other areas, the lands of a number of small peasants were taken over without paying any compensation and enclosed in barbed wire fencing. There was nobody even to reply to representations. We were told that the war was on, that we should help the British and that therefore we had to put up with some inconvenience. My point is, why the Government should continue to hold properties which were requisitioned or acquired with so much injustice and denial of elementary human rights. This is a matter on which, I think there can be no two opinions at all. If a property was taken over for the defence of India, its retention can no longer be for the defence of India as India is no longer at war. Therefore the Government have absolutely no right to continue to retain the property. From 1946 onwards, such property should have been

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returned to the owners. Besides requisitioning property, men were conscripted to serve in the different theatres of war. Have they been taken over for civil jobs? Many of them were simply demobilized and left uncared for and unemployed. As somebody said—

'Bars and bolts cost something,
Indians cost nothing.'

That is the cynicism with which this Government have treated them. When that is the case with human beings, why should the Government continue to retain the requisitioned properties? Some of these properties are situated in strategic places like the vicinity of the Visakhapatnam Harbour. Compared with the period of requisition, say about 1939, the value of lands must have risen fabulously high now and it is very easy to use these lands for the purpose of political patronage, for purchasing a number of people who hold great strategic positions in the State. Holding a strategic position is a source of great political power. That is the real reason why the Government do not want to part with the properties. During the war, there was no popular Ministry in the State. There was the Advisers Government under section 93 of the Government of India Act, 1935, and there was sheer autocracy. What an amount of terrible injustice and oppression must have been exercised over the peasants in requisitioning their lands? After the war, the leaders said that they should come to power and they did come to power. That was a good thing. But they do not want to apply the same principle to requisitioned lands because the owners unfortunately do not belong to the Congress Party and are not big landlords or owners of big printing presses. That is the whole trouble. They are in remote villages and that is the reason why we did not know of them much. Sometimes truth comes out. I would refer the House to the proceedings of the last Assembly. Mr. V. I. Muniswami Pillay had not become a Communist because he bundled grievances and hurled them at the Government. On 12th March 1951, he said in the Assembly—

'I would like to inform the House through you, Sir, that the Governments of the Union and the State have been occupying the lands in Coimbatore and other districts for such a long time that it is working great hardship on the owners of these lands. There are so many people who have been applying for land for house construction. The town of Coimbatore is extending so fast that it is highly necessary that this Government as well as the Central Government should think about this and close the chapter of this Act at an early date.'

Fourteen months have elapsed since he uttered those words. If there is an order under section 144, Criminal Procedure Code, things get moving within two minutes. If the Government want to arrest a Communist, wireless messages issue, jeeps rush in and he is spirited away into the Vellore detention camp or the Cuddalore Central Jail. But there is so much delay or inaction in derequisitioning lands because the Government want to use them as a means of political patronage. The Government have absolutely no moral justification to continue to hold lands which were taken over against all elementary principles. The Indian National

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Congress have told us that a legislation passed to meet a war emergency should not be continued in force even for a day after the cessation of that emergency. The Defence of India Act for the war of 1914-18 ceased to be in force from 1919. At that time the Government wanted to continue the emergency powers and passed the Rowlatt Act. The Congress concentrated all its energy to see that that Act went out of the statute book. Why? Because a very great principle of politics was involved. Emergency powers intended to ride rough-shod over men's liberties and to treat men as animals or inanimate beings, assumed by the Government on the specious plea of war, should not be continued even for a day after the emergency ceases. That was the great principle there. That is why I say that the earlier the lands are restored to the owners, as Mr. Muniswami Pillay said, the better for all it will be. Mr. R. Subba Ayyar, who was talking about these lands, in the last Legislative Assembly, said,—

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'The Hon. Minister says that they are giving very liberal compensation. In fact I know extensive lands have been taken on requisition in Gummidipundi of Ponneri taluk during the war under the Defence of India Rules. They are yet to be derequisitioned. The liberal compensation referred to by the Hon. Minister is Rs. 10 to Rs. 15 per acre of wet land. The owners are now anxious to cultivate the land. In these places there are large extents of land available even outside barbed wire fencing.'

There were all these complaints. There were a number of complaints from Visakhapatnam. My friends in Visakhapatnam have been telling us that a number of acres near the Visakhapatnam harbour have been taken away. Why is it that those lands have not yet been derequisitioned? Is it because the Government want to give them to somebody or have the Government promised to give those lands to some people? These are all things which must be gone into. People have all along been under the impression that if they make complaints, they will be dubbed as Communists and sent to Vellore Jail. Now a very different atmosphere prevails. People are free to-day to ventilate their grievances and express their difficulties. Let us know what has happened between 1939 and now. Let us know whose properties have been taken away under the Defence of India Rules—Nawab Durbar rule? Let us know who are the owners whose properties have been robbed from them. I would suggest, Sir, that this whole Bill and the provisions contained in the Bill should be gone into fully and public opinion elicited thereon. I should certainly like to have information on this. Mr. Sitarama Reddi, the then Minister, said on the floor of the Legislative Assembly on the 12th March 1951. 'There are still 96 cases of immovable property held by this Government. They are situated in four districts, namely, Malabar, Visakhapatnam, Coimbatore and Madras. They are mostly lands and not buildings.' (Page 675, Vol. IX—1951.) Here he says they are mostly lands and not buildings. But later on, on page 676, he says, 'Sir, as I said, so far as Coimbatore is concerned, there is no land which is under requisition. The buildings only have to be derequisitioned.' Sir, is it buildings or lands, I should like to know. On page 675, Mr. Sitarama Reddi says, 'there are 96 cases.' In the Legislative Council on 17th March 1951, he says, 'there are still 106 cases of

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properties held under requisition for the purpose of the State.' I would like to know whether the number of requisitioned properties has increased within five days. Let not Government put forward the argument that it is all just a Communist affair. Let them not think like that. The position is this. A responsible Minister says one thing in the Assembly and another thing in the Council. He gives one figure in the Assembly and another figure in the Council. We should, therefore, like to know the truth. We remember the days when the war was on, a number of persons came and told us, 'Our lands have been taken away and given to the loyalists of the British Government.' I know, Sir, a great loyalist was given large extents of lands for raising casuarina plantations. I know another loyalist gentleman in Tanjore was also given a good portion of land. I should like to know whether this requisition was under the Defence of India Rules. Compensation was not payable then. I should like to know if lands are to be robbed from the poor in order that the rich may be given those lands. Whether the British Government did it or this Government did it, does not matter. The people have suffered much by this requisitioning of property in war time. They must really be compensated. It is not merely nations that should get reparations, but individuals also must get reparations. The people have suffered very much and they must have recompense, as every Congressman got five acres of land for having once gone to jail during the summer vacation! Those whose properties have been requisitioned have suffered very great hardship, and they must be reimbursed for the loss which they have suffered, certainly on account of the inability of the political parties to lead our country properly. I would request the Government to consider the matter fully before they hustle us into accepting this measure. At any rate, let us know what the truth is. We do not want to be hustled into accepting this Bill. Of course the Governor has issued the Ordinance. But we should like to know why the Governor did not come before the Legislative Assembly before the 31st March. It was open to him to do it. Why should he stampede us into accepting the principle of this Bill? I want, Sir, that this Bill should be circulated for eliciting public opinion."

SRI VAVILALA GOPALAKRISHNIAH :—అధ్యక్షా, మొదట Defence of India Act వచ్చినప్పుడు ఇప్పుడు ఉన్నటువంటి వారందరుకూడ ఆ చట్టము వసికిరాదు, దానిలో చాలా నిర్బంధాలున్నాయి, దానివల్ల సామాన్య ప్రజానీకము చాలా కష్టపడ్డలకు పాలగుదురు. కనుక ఆ Act ఉండకూడదని అన్నారు కాని, అప్పుడు యదృశ సమయమైనందున, యదృచ్ఛి ఎదుర్కొనే నిమిత్తం అందుకు కావలసిన ట్రైకి పియర్స్ బ్రెయినింగు కేంద్రాలు మొదలగు యదృశావస్థలను చేకూర్చేందుకు, వాటికి కావలసినటువంటి ఆస్తులను ప్రభుత్వము స్వాధీనము చేసుకొనుటకుగాను Defence of India Act అవసరమని ప్రభుత్వమువారు ఆ చట్టాన్ని అమలులో పెట్టినారు. కాని ఇప్పుడు యదృశ అయిపోయినది. ఆ ప్రమాదమునుండి గట్టెక్కి బయట పడ్డాము. ఇంక ఈ Defence of India Act అవసరము కనుక ఈ చట్టము పోతుందని అనుకొన్నాము. కాని Defence of India Act

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పేరుకు మాత్రము పోయిందిగాని దాని అధికారము పోలేదు. అదే చట్టమే మరొక రూపముతో వెలువడింది. దీనినే ఇంకొక Ordinance రూపములో కేంద్ర ప్రభుత్వము ప్రారంభించింది. దానిలో వినుని చెప్పబడింది అనగా విను ఆస్తులచే Defence of India Act క్రింద ప్రభుత్వముచే స్వాధీనపరచుకొనబడినచో, అన్నీ అటులే ప్రభుత్వము స్వాధీనములో ఉంచుకొనబడునని చెప్పబడినది. కనుక Defence of India Act పోయినప్పటికీకూడ అది నామమాత్రమేగాని, దాని ఆశయము పోలేదు. అది ఇంకొక రూపముతో పరిణమించింది. ఇది ఎట్లున్నదనగా తెలుగులో ఒక నామక ఉన్నది. “బిడ్డ చనిపోయిందిగాని, ఒకా పురుటికింపు పోలేదు” అన్నట్లు Defence of India Act పోయినాకూడా, దాని ఆశయము పోలేదు. ఆ రోజుననే యుద్ధమునందున దాన్ని ఎదుర్కొనేందుకు కావలసిన టెక్నిషియన్లు, మిషినరీసు తయారు చేసేందుకు అక్కడక్కడ ట్రైనింగు కేంద్రాలు మొదలగునవి నియమించవలసి యుండునని చాలా భాములు స్వాధీనం చేసుకొన్నారు. అందులో సామాన్య రైతాంగానికి చెందినటువంటి అనేక పొలాలు గూడా యున్నవి. కాని వారికి అందుకు తగిన compensation గూడా లేకుండా పోయింది. ఇంకా ఈ Ordinance లో వినిచెప్పబడినంతే, ప్రభుత్వమువారికి కావలసిన ఆస్తులను ముందు స్వాధీనము చేసుకొని, తరువాత వాటిను ఇస్తామని చెప్పబడినది. ఈ విధంగా సామాన్య ప్రజానీకముయొక్క కష్ట సుఖాలు గూడా, గమనించకుండా ప్రజల ఆనందతి కూడా తీసుకోకుండా వారి భాములు స్వాధీనము చేసుకొనుట చాలా అన్యాయము యుద్ధము అయిపోయినాగూడా, ఇంకా భాములను ఎందుకు ప్రభుత్వము స్వాధీనములో ఉంచుకొన్నారో అర్థము కావడం లేదు, ఉదాహరణముగా, గుంటూరులో రింగు రోడ్లలో పాములవాటి వెంటటక్రిష్టయ్యగారిచే స్థాపించినటువంటి War Technicians యొక్క కేంద్రము ఇప్పటికీ కూడా యున్నది. ఇక్కడ ఉన్నటువంటి ప్రధాన మంత్రులు కూడా దానిని చూచినారు. ఆ Technicians కేంద్రము క్రింద ఉన్నటువంటి పొలాల్ని కూడా, ఇప్పటికీ ఆయన స్వాధీనములోనే ఉన్నాయి. ఇప్పుడు Technicians Camp గాని, మరేమిగానిలేదు. అయినాకూడా ఆ పొలాలను వెనకకు ఇవ్వలేదు. వాటికి సంబంధించిన రైతులంతా కూడా ఆ పొలాలను వారికి ఇచ్చివేయవలసినదని ప్రభుత్వానికి విన్నవించుకొన్నాకూడా ప్రభుత్వము వాటిని ఇవ్వకుండా యున్నారు. యుద్ధము అయిపోయి వాటి అవసరము లేకపోయినాకూడా, రైతులకు వారి పొలాలను ఇవ్వలేదు. పోనీ దానికి తగిన compensation అయినా ఇస్తారా అంటే అదికూడా లేదు. కొత్తగా పొలాలు వినియోగము చేయు స్వాధీనము చేసుకోవడంలేదు. అధికార చరాస్త్రము స్వాధీనము చేసుకోలేను. సిగ్గరాసి మత్రిమే పుచ్చుకొన్నామని ప్రభుత్వము చెప్పుచున్నది. ఇది బాగానే యున్నది. వారి పుచ్చైన వారి చర్యలు చరాస్త్ర వరకు రానందుకు చాలా సంతోషించవలసియున్నది. కాని యుద్ధము అయిపోయినా కూడా ఇంకా ఈ భాములు ప్రభుత్వ స్వాధీనములో ఎందుకు ఉండవలసో తెలియకున్నది. ఈ పొలాలుమీద ఆధారపడియున్న సామాన్య రైతాంగమంతా కూడా వేరే జీవనాధారము లేకుండా చాలా కష్టాలకు గురి అగు చున్నారు. అందువల్ల నేను మనవి చేయవలసి వినునగా, ‘ఈ లిల్లును ఈ సభలో ఇట్లనే ఆమోదించకుండా ప్రజాపాయానికి పంపించి, ప్రజాధిపాయానుగుణంగా తీర్చానింపవలసినదని ప్రభుత్వమువారిని కోరుచున్నాను.’ యుద్ధమేమో అయిపోయింది. Defence of India Act కూడా పోయింది. జైల్లో ఉండినవారు కూడా విడుదల అయినారు, కాని ప్రభుత్వము స్వాధీనపరచుకున్న పొలాలు మాత్రము ఇంతవరకు ఇవ్వలేదు. సామాన్య ప్రజానీకానికి ఉపయోగపడకుండునటువంటివి, రైతుల అవసరాలకు మించి ఎక్కువగా ఉండునటువంటి పొలాలు ప్రభుత్వము స్వాధీనము చేసుకొని

[Sri Vavilala Gopalakrishniah] [12th May 1952]

నన్నుటికి పరవాలేదు. దానివల్ల ఎవరు ఏమీ ఇబ్బంది పడరు. కాని మీద రైతాంగము యొక్క పొలాలు స్వాధీనపరచుకొంటే వారు నానా బాధలు పడవలసి వస్తుంది, కనుక తారతమ్యము లేకుండా, ప్రజల కష్ట సుఖాలను గమనించకుండా మొత్తము అధికారా న్నంతా తీసుకొని ప్రభుత్వము వారికిష్టము వచ్చిన పొలాలను స్వాధీనము చేసుకొనుట ఏ మాత్రము న్యాయముకాదు. ప్రజల సౌకర్యాలు కల్పించే నిమిత్తం గాని మరే ప్రజో పయోగానికిగాని భూమి కావలసివస్తే ఇదివరకే Requisitioned Land Act ఉండనే ఉంది. దానిద్వారా అవసరమైన భూమిని తీసుకోవచ్చు అదిగాక మళ్ళి ఇప్పుడు స్థిరాస్తులపై న రాధికారాలు కావాలని కేంద్ర ప్రభుత్వము Requisitioning and Acquisition of Immovable Property Act అని బిల్లు చేసింది. అదే ప్రకారం ఇప్పుడు మద్రాసు ప్రభుత్వము కూడా ఈ రాష్ట్రస్థాయికి సంబంధించినటువంటి స్థిరాస్తులను స్వాధీనపరచుకొనేందుకు ఒక Ordinance చేసి అది చట్టరూపముగా తీసుకొని వస్తూయన్నారు, ఇది చాలా అన్యాయము. కనుక ప్రభుత్వమువారిని నేను కోరుతది విమర్శగా, ఈ బిల్లును ప్రజాస్థిరప్రాయానికి వంటించి ప్రజాస్థిరప్రాయము ఇందుకు అనుకూ లంగా ఉండినట్లైతే తప్పక దీనిని బిల్లు చేసి అమలులోనికి తీసుకొని రావచ్చును. కనుక దీనిని ప్రజాస్థిరప్రాయానికి వదలి వెట్టితేనే సుంచిదని చెప్పి మనవి చేస్తున్నాను. లేకపోతే, కనీసము ఒక నెలపు కమిటీవైనా నియమించి వారి నిర్ణయం ప్రకారం చేయవలసిందని కోరుతున్నాను.”

SRI R. LAKSHMI NARASIMHA DORA :—“ Mr. Speaker, Sir, a proper appreciation of the provisions of this Bill now before the House, would not have necessitated so much of discussion which it has provoked from so many sides of the House. We are not competent to criticise the provisions of the Defence of India Act, 1939, or of the Central Act of 1947 which sought to extend the life of the original Act. Nor are we competent to criticise the provisions of Madras Act II of 1951, which was passed to extend the life of the Central Act in so far as it related to immovable properties under requisition by the State Government. Of course I do not appreciate the slackness on the part of the Government in disposing of the properties which have been requisitioned under those Acts. The Government of India passed that Act at a time when war was on. The war ended somewhere in 1945, and I do not think that the conditions prevailing then still exist in 1952. We can understand the purpose of the Act better if the Government say they want a little more time to derequisition the properties. They have neglected all these years to return the properties to the owners. I should expect the other side to welcome this measure, and this Bill should not be a controversial Bill. The other side has been criticising the Government for having requisitioned properties and not returning them to the owners. Some hon. Members speak of giving compensation and some speak of returning the lands to the owners for putting them to the use for which they were intended, etc. Whatever it is, we are at a stage when the Government want to acquire some of the properties which they requisitioned. Of course there is an Act dealing with acquisition

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of lands. Government can acquire lands under that Act. I do not think the Government are justified in bringing forward this legislation and passing it in this session.

“ Sir, the one thing to which I take objection is this. The original Act provides for two methods of disposing of the property. One is release from requisition and the other is acquisition of the property. Then, section 3 of the original Act says—

‘ Notwithstanding the expiration of the Defence of India Act, 1939, and the rules made thereunder and the repeal of the Ordinance, all requisitioned lands shall continue to be subject to requisition until the expiry of this Act and the appropriate Government may use or deal with any requisitioned land in such manner as may appear to it to be expedient :

Provided that the appropriate Government may at any time release from ‘ requisition any requisitioned land.’

Section 4 deals with the delivering back of property to the owner thereof. Section 5 deals with the power of acquisition. Sub-clause (1) of clause 4 of the Bill says—

‘ If at any time the State Government are of opinion that it is necessary to acquire any requisitioned land for a public purpose, they may acquire such land by publishing in the *Fort St. George Gazette* a notice to the effect that they have decided to acquire such land in pursuance of this section.’

The other sub-clauses in the original section, section 5, are adapted as sub-clauses (2) to (5) of clause 4 of the Bill. In this new sub-clause (1), the words ‘ public purpose ’ have been introduced which we do not find in the original section. I would invite the attention of the Hon. Minister in charge of the Bill to sub-section (3) of section 5 which runs as follows :—

‘ No requisitioned land shall be acquired under this section except in the following circumstances, namely :—

(a) where any works have during the period of requisition been constructed on, in or over the land wholly or partly at the expense of Government and the appropriate Government decides that the value of, or the right to use such works should be preserved or secured for the purposes of Government.

(b) Where the cost of restoring the land to its condition at the time of its requisition would, in the determination of the appropriate Government, be excessive having regard to the value of the land at that time and the owner declines to accept the release from requisition of the land without payment of compensation from Government.’

These are the only two conditions under which the property can be acquired. The new sub-clause (1) uses the words ‘ acquire any requisitioned land for a public purpose ’. I feel that we are tinkering with these clauses because the new words introduce a new condition in addition to the two conditions already existing. I think the introduction of the term ‘ public purpose ’ is inconsistent with the two original conditions. Therefore, the term ‘ public purpose ’ may be omitted. Otherwise, it may create confusion. With these words, I submit the Bill may be accepted and no useful purpose will be served by referring it to a Select Committee because it is virtually based on an Act passed by the Central Parliament. No useful purpose will also be served by circulating it for eliciting public opinion for the same reason.”

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SRI PILLALAMARRI VENKATESWARLU :—“ Sir, the Government are accepting the motion for reference to a Select Committee.”

MR. SPEAKER :—“ Then I will put the motion to the vote of the House.”

* THE HON. SRI C. RAJAGOPALACHARI :—“ Mr. Speaker, Sir, I wish to explain the position in detail and then make a suggestion. Most of the things said by hon. Members are irrelevant. The object of this Bill is not to make any requisition in order to keep any land unnecessarily and in fact, all these requisitioned lands are a mere burden so far as the State Government are concerned. The derequisitioning process is not merely a legal process. Some constructions have been made here and there; some changes have been made. We will have to hand over the property as we took. For that, we will require some time. So, derequisition is not merely a small matter on paper but it is a matter which will have to be gone into in detail and which involves some difficulties, and it has taken time. Let no one imagine either one of the two things, namely, that we want fresh power, autocratic power, to take over private people's land, or that we wish to hold property unnecessarily and wastefully for the State. If these two things are accepted, then I want the House to understand that there is a certain amount of work to be done before derequisitioning and, therefore, the legal propriety of the action of the Government in holding the property during the period required must be put in order. If we take time to derequisition and hand over the property to its owner we should have no gaps, as was pointed out earlier, wherein we hold the property without proper right to hold it. So, there was an Ordinance and this Bill has been introduced for the purpose of making the Ordinance an Act. The Ordinance protects us for six weeks from May 3 when we met to swear or from May 6th when we actually had the Speaker elected and the House constituted. We could not take risks. The Ordinance will lapse on the 14th June or so. If we have a ‘select’ Select Committee—I use the word ‘Select Committee’ in a double way—it may be a ‘select’ Select Committee, that is to say, the people will give their attention immediately and properly to the main issue and not look at it as if we have a fight over something, we may perhaps deal with the Bill, and any defects or omissions that may be noticed may be set right and it may be supplemented where necessary. For instance, provision regarding notice to be given before acquiring land for a public purpose, so that the other side may be heard before acquisition, has been referred to. It was not our object at all not to give notice but it may be provided for. If we could have a small Select Committee and complete all the work within, say, a week or so, we may meet rather early in June and devote a day for the Bill and have it passed. I do not wish to

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have unnecessary bouts with the other side in the first session. I would like to work with them in a Committee in the first session itself and see how they co-operate with me."

MR. SPEAKER :—" So, the Government accept the motion? "

* THE HON. SRI C. RAJAGOPALACHARI :—" The motion for referring the Bill to a Select Committee, by agreement, may be adopted and we may be settling the names of the Members presently so that when we meet again after lunch we will be able to give the names. We will give a list of 12 Members *plus* the Mover of the Bill, that is, 13, a good number for derequisitioning. (Laughter.) On behalf of the Government and on behalf of the Mover of the Bill, I accept the amendment for referring the Bill to a Select Committee and move that the number of Members of the Select Committee may be 13 instead of 17,"

MR. SPEAKER :—" Then, let the hon. Member Sri Krishna Rao withdraw his amendment . . . "

SRI K. KRISHNA RAO :—" I request the leave of the House to withdraw my amendment to circulate the Bill."

The amendment was, by leave of the House, withdrawn.

MR. SPEAKER :—" Instead of 17 Members, the Hon. the Chief Minister wants to make it 13. I think the amendment is accepted."

The Hon. the Chief Minister's amendment was put to the House and carried.

MR. SPEAKER :—" I shall put the amended motion to the vote of the House and if it is carried, the original motion of the Hon. Minister goes. The question is—

' That the Madras Requisitioned Land (Continuance of Powers) Bill, 1952, be referred to a Select Committee consisting of 13 Members of the Assembly. "

The motion was carried.

MR. SPEAKER :—" The names of the Members of the Select Committee would be given after lunch. We shall now take the next item on the Agenda."

* SRI P. RAMAMURTHI :—" May I make a suggestion to you, Sir? In anyway we are going to meet in the afternoon for the purpose of knowing the names of the Members of the Select Committee. There is also not much of business to be transacted in the afternoon. Therefore, I would suggest that we adjourn now and meet in the afternoon to discuss the Resolution."

MR. SPEAKER :—" I hope the Government have no objection."

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THE HON. SRI C. SUBRAMANIAM :—" No objection, Sir."

MR. SPEAKER :—" The House will now rise and meet again at 2-30 p.m."

(After lunch—2-30 p.m.)

MR. SPEAKER :—" The Hon. Minister will now give the names of Members of the Select Committee."

THE HON. SRI M. A. MANICKAVELU NAICKER :—" I give below the names of the hon. Members who will form the Select Committee, the motion for constituting which has been approved by this House this forenoon :—

1. The Hon. Sri M. A. Manickavelu Naicker,
2. The Hon. Sri C. Subramaniam,
3. Sri T. Viswanatham,
4. Dr. K. B. Menon,
5. Sri S. Swayamprakasam,
6. Sri V. Gopala Gounder,
7. Sri K. Krishna Rao,
8. Sri N. Gopala Menon,
9. Sri Chinnathambi Thevar,
10. Sri S. Ramaswami Naidu,
11. Srimathi T. Kotamma Reddi,
12. Sri K. V. Vema Reddy, and
13. Sri B. Gangayya Naidu."

MR. SPEAKER :—" The question is—

"That the following hon. Members will constitute the Select Committee on the Requisitioned Land (Continuance of Powers) Bill, 1952 (L.A. Bill No. 3 of 1952) :—

1. The Hon. Sri M. A. Manickavelu Naicker,
2. The Hon. Sri C. Subramaniam,
3. Sri T. Viswanatham,
4. Dr. K. B. Menon,
5. Sri S. Swayamprakasam,
6. Sri V. Gopala Gounder,
7. Sri K. Krishna Rao,
8. Sri N. Gopala Menon,
9. Sri Chinnathambi Thevar,
10. Sri S. Ramaswami Naidu,
11. Srimathi T. Kotamma Reddi,
12. Sri K. V. Vema Reddy, and
13. Sri B. Gangayya Naidu."

The motion was carried.

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MR. SPEAKER :—“ Under Rule 83 of the Madras Legislative Assembly Rules, I hereby nominate Hon. Sri M. A. Manickavelu Naicker, to be the Chairman of the Select Committee.”

VI.—GOVERNMENT MOTION *RE*.

EXCLUSION OF CERTAIN CITIZENS OF CEYLON FROM RIGHTS OF CITIZENSHIP.

* THE HON. SRI C. SUBRAMANIAM :—“ Mr. Speaker, Sir, I beg to move the following resolution standing in my name :—

‘ That, this Assembly expresses its deep sympathy with those citizens of Ceylon who having been settled in Ceylon for the benefit and development of the island and become citizens of Ceylon are by a series of measures sought to be excluded from the rights of citizenship conferred on the people of Ceylon.

‘ That, this Assembly extends to these unfortunate citizens of Ceylon its fullest sympathy in their struggle for justice and equal civic rights.

‘ That, this Assembly appeals to the better mind of the people of Ceylon to extend their support to their unfortunate brethren in their struggle for their legitimate rights.

‘ That, this Assembly recommends to the Government to forward the above resolution to the Government of India for necessary action.’

“ Sir, I think any lengthy speech in support of this motion is not necessary. Before tabling this resolution, I consulted the Hon. Leader of the Opposition and also some other leaders on the other side. It is almost an agreed resolution and therefore, I am sure, it will have a smooth passage in this House. In discussing this resolution, I would like hon. Members to bear in mind that we are dealing with the independent Government of Ceylon. As far as we are concerned, we have absolutely no right to interfere with the internal administration of Ceylon. They are as much an independent country as we are. Therefore, it will not be right on our part to indulge in any kind of strong criticism against that Government. Further, ours is a State Assembly. As such, we have absolutely nothing to do with any other foreign State. In these circumstances, I request the hon. Members not to be severe in their criticism with regard to the attitude of the Government of Ceylon.

“ The first part of the resolution deals with the exclusion from the rights of citizenship of certain people who have been in Ceylon for a very considerable time. They have gone there from India, and especially, from South India. No doubt, they went there to eke out their livelihood. Having gone there, by their hard work they have developed the country. I have not myself gone to Ceylon. But, I have learnt from many people who have gone

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there and also from literature relating to Ceylon that the development of that land is mainly due to the people who have gone over there from South India, and, but for the labour and hard work of these people, Ceylon would not have been developed to its present state. Having gone there, they have settled there and have become almost residents of that island. Unfortunately, at the present time, certain fundamental rights and certain elementary rights to which ordinary residents of a country are entitled, are being denied to them. It is no doubt true that it is for the country concerned to have their own laws of citizenship. But, in having those laws of citizenship certain principles of natural justice have got to be observed. They should not exclude a certain set of persons and a certain section of the community residing in that island on the ground that they were born in another country or on the ground that they came from another country. They can prescribe a qualification that for the purposes of determining the citizenship of a person, he should have resided there continuously for a certain period. Having prescribed that qualification, they should see that all those persons who satisfied the conditions and qualifications prescribed by them are made citizens as early and as easily as possible. But we find that though the right of citizenship is sought to be conferred on Indians, all sorts of obstacles are placed against them. We also find that as a result of this, most of the Indians who are now residing in Ceylon are excluded from the rights of citizenship. Now, there is going to be an election to the Parliament of Ceylon. Those residents of Ceylon, who have gone from India and who have been residing there for a very long time are denied the right to exercise their franchise, as citizenship rights have not yet been conferred **||** on them. Hon. Members may perhaps know that a movement has been launched thereby those residents who have been denied this elementary right. It has been the policy of the Government of India, the people of India and also the Indian National Congress that support and sympathy should be extended to those people to whom this elementary right is denied and who are being exploited by others, even though those people may live in another part of the world, completely separated from us. Not only in Ceylon, but in South Africa also, some of our brethren are facing the same fate. Of course, the present resolution does not deal with that. But, it is necessary that we should extend our sympathy and support to those unfortunate citizens who are to-day fighting for their elementary rights. We cannot be blind to the fact that they are our own kith and kin, although they may live in another part of the world. We cannot shut our eyes to their disabilities. It is but just and necessary that we should express our sympathy to them, and this we are doing by this resolution. We are watching with interest and sympathy their struggle for recognition of their citizenship rights. Our sympathies are with them.

" In this connexion, we are also appealing to the better mind of the people of Ceylon, who have got sympathy for human values. This question should be considered in the light of the entire humanity. The people of Ceylon should think that everybody should

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have equal rights, whatever may be their place of birth. We appeal to the people of Ceylon that they must give support to those unfortunate residents who are now fighting for their legitimate rights. I am moving this resolution to express our sympathies to those residents of Ceylon who are fighting for their citizenship rights. Ceylon has got ever so many natural ties with India. Sometime back, a bogey was set up that India wanted to conquer Ceylon. It has been made clear that there was no such intention on the part of India to conquer Ceylon or to force that country to do a particular thing. We recognize Ceylon as an independent country and we have been dealing with that country as such. But we are entitled to extend our sympathy to any section of the people in any country in any part of the world, if they are suppressed, and denied even the elementary rights. It is the duty of every right-minded and democratic-minded citizen to extend his sympathy and support to the extent possible, to those oppressed people, in the matter of establishment of elementary rights. We have got a right to do this, because of our past association with Ceylon. So, I request hon. Members to pass this motion unanimously. As for sending this resolution to the Government of Ceylon, I do not think we can deal with Ceylon directly. What we can do is to send this resolution to the Government of India for taking necessary action. That will be the only right thing for us to do, as we have nothing to do with a foreign Government. With these words, I move this resolution and commend it to the honourable House."

MR. SPEAKER :—" Motion moved—

' That this Assembly expresses its deep sympathy with those citizens of Ceylon who having been settled in Ceylon for the benefit and development of the island and become citizens of Ceylon are by a series of measures sought to be excluded from the rights of citizenship conferred on the people of Ceylon.

' That this Assembly extends to these unfortunate citizens of Ceylon its fullest sympathy in their struggle for justice and equal civic rights.

' That this Assembly appeals to the better mind of the people of Ceylon to extend their support to their unfortunate brethren in their struggle for their legitimate rights.

' That this Assembly recommends to the Government to forward the above resolution to the Government of India for necessary action.' "

MR. SPEAKER :—" Does the hon. Member, Mr. C. Venkatakrishna Rao, move the amendment standing in his name? "

SRI C. VENKATAKRISHNA RAO :—" No, Sir, in view of the assurance given by the Hon. the Leader of the House in his speech which embodies the spirit of my amendment."

MR. SPEAKER :—" Does Mr. R. V. Swaminathan move his amendment? "

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SRI R. V. SWAMINATHAN :—“ Yes, Sir, I move—

‘ That this Assembly requests the Government of India to take this question to the United Nations Organization.’ ”

MR. SPEAKER :—“ If the amendment is seconded, then the Government Motion as well as the amendment will be before the House and the House may discuss both.”

SRI S. JAYARAMA REDDI :—“ I second the amendment.”

SRI C. VENKATAKRISHNA RAO :—“ Mr. Speaker, Sir, this is an important resolution which is intended to support a section of the people in Ceylon who have been disfranchised. Nearly eight lakhs of Indians who have settled in Ceylon and who have developed the plantation and other industries of that country have been denied the right of citizenship. This is a gross violation of human rights. It is a pity that such a thing happens in what is called a Commonwealth and it is also a pity that a lot of prejudice is involved in this move. Sir, prejudice often results from self-interest and the Ceylonese authorities out of self-interest have denied the eight lakhs of citizens their right to vote at the elections as also their citizenship rights. What does the Ceylonese Government say? It says it is just accidental that it has happened so. I feel it is not an accident. It is an attempt to deprive a section of the people who may not like the type of Government that exists in that country of their legitimate rights. Injustice has been done to eight lakhs of Indians in Ceylon. The Government of India had addressed a conciliatory note to the Ceylonese Government that the matter might be taken up again, but the Ceylonese Government treated this matter as though it was not of much importance and said that it considered that the error had crept in only with regard to the coming elections. No, no. It has crept in for all time. It is an attempt to drive away these settlers out of Ceylon stage by stage and we have read in newspapers that the Ceylonese authorities are trying to deport hundreds after hundreds of Indian settlers there on the plea that they had gone there recently. This is the way things are happening. We are not only going to protect the rights of the Indian citizens in Ceylon who have been done an injustice, we are also going to support in this resolution the fundamental rights of the entire human race. Wherever things are done on account of prejudice we must protest. We should voice in most emphatic terms—and we should not mince words in this matter—our protest. We must tell the Ceylonese Government that even though they can claim the right to follow an independent policy they should not perpetuate this sort of injustice. It is not a question, Sir, of our taking up the cause of Indians. It is not a question of Indians or Ceylonese. It is a question of human rights being violated. These eight lakhs of people have been there for more than two or three generations. It is not their fault that their fathers had gone to Ceylon for settlement. It is not just or right that somebody else should reap the benefits of their labour and that they should be denied their elementary right of citizenship. I say, Sir,

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it is not a conciliatory attitude that we should adopt when fundamental rights are affected. We should as a matter of fact adopt a just attitude and just attitude in this case means stiff attitude. Unless such an attitude is adopted by us, men in power in Ceylon will go the same way as their self-interest dictates. The Government of India have already adopted enough conciliatory attitude and it is time that this House warns seriously that the Ceylonese Government cannot in the name of technicalities continue to perpetrate this kind of injustice. It is not outsiders that can set the thing right. It is the Ceylonese Government themselves that are to take up the cause of Ceylonese Indians and I am sure there is enough democratic feeling in that country which supports the cause of fundamental rights for the citizens. If the Government of Ceylon are not going to protect the rights of these citizens, what is to be done by us? We believe in democracy and we should fight for it and see that the citizens of Indian origin get their rights. I do not think it is fair that the Ceylonese Government should raise the bogey of Ceylon being invaded. What I feel, Sir, is that the Ceylon Indians should not be left in the air, to the tender mercies of the ruling power in Ceylon. They should be repatriated or their rights should be protected. This is the course that is open for this House to adopt. It is a pity that, while India is said to be in the Commonwealth, Indians in a Commonwealth country should be treated as though they are slaves and serfs. When we raise this issue in this House, Sir, we must remember that there is a principle involved in it. I feel, therefore, that this Legislature and other legislative bodies in the country should voice their emphatic protest wherever and whenever the rights of citizens of Indian origin are being trampled upon and I hope the Commonwealth countries will realize this fact."

MR. SPEAKER :—" I fix ten minutes for each Member."

SRI R. V. SWAMINATHAN :—" Mr. Speaker, Sir, while supporting the resolution moved by the Hon. the Leader of the House and thanking him for the same, I would like to point out that the question of Indians in Ceylon has been there for several years and yet it remains unsolved. This matter was taken up with the Ceylonese Government even before our independence. It was the Indian National Congress that first took up this matter and some of the Indian leaders also visited Ceylon in this connexion—particularly our present Prime Minister Mr. Nehru and our Chief Minister Rajaji. They tried their best to settle the issue but it is there still. What is the trouble there? There are about ten lakhs of Indians who have settled there and who want the right to vote at elections. Of these ten lakhs of persons, eight lakhs are South Indians. They want the same rights as are enjoyed by other people in Ceylon. They want franchise: Sir, the Indians in Ceylon had been enjoying certain rights and they were agitating for more. But now even the very rights they were enjoying have been taken away. Very few names are found in the electoral rolls so far as Indians are concerned. The new Act has placed certain restrictions on the

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right of an Indian in Ceylon to vote. Those who want to get themselves registered as Ceylonese nationals have been denied the right to do so and this prevents them from voting at the elections. Sir, even to-day there are about two lakhs of applications pending before the Government from Indian nationals in Ceylon seeking citizenship rights. This fact has also been admitted by the Ceylonese Government and yet they have not done anything. In the Parliament of Ceylon, there are seven Indian members representing the Indian community there. Now on account of the several restrictions imposed by the new Act, none has so far filed any nomination for election to the Parliament. At a time when the Indian settlers were fighting for more rights, this Act was passed and it has taken away even those rights enjoyed by them previously.

"Then, Sir, coming to the amendment I have moved, this matter is fit to be taken before the U.N.O. After all, we can only recommend to the Central Government that this matter may be taken to the U.N.O. While we cannot do it ourselves, we can make a recommendation to the Central Government. Then, Sir, even though we are competent to make such a recommendation, it may be asked how this matter which concerns the internal administration of Ceylon can be taken there. I agree that only a dispute between two independent countries can go before the U.N.O. and not matters relating to internal administration of any country. Why then, Sir, was the question of South Africa taken to the U.N.O.? This question is the same as the South African Indian question, though in South Africa it is racial discrimination that is practised. Events in Ceylon in recent times and the statements made by the Prime Minister of Ceylon, Mr. Dudley Senanayake, and the Home Minister of Ceylon have taken the question to the level of the South African Indian question. The Home Minister of Ceylon, in a statement in connexion with the satyagraha started by the Indians there, has threatened us that he cannot guarantee the safety of the Indian nationals in Ceylon. That is the statement that he has made. I am, therefore, only making a reasonable demand that this question be brought before the United Nations Organization.

3 p.m. "Recently, the Prime Minister of Ceylon made an election speech in which he made certain allegations against the Indians settled there. It looked as though it was an election stunt. He said that he cannot tolerate these 'Kuppuswamis and Ramaswamis' enter the Parliament of Ceylon. Ceylon is a member of the Commonwealth. As such, I am not able to understand such statements being made by the Prime Minister of Ceylon. Is this not racial discrimination, I ask? The people of Ceylon have no programme to put before the people during this election, to catch the imagination of the people, the voters. That is why I think they are creating this bogey of Indians in Ceylon. I feel that we can take this matter to the U.N.O. When Indians are threatened in that manner in another country, we cannot shut

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our eyes and keep quiet without taking any action. When Indians are humiliated there, we must take up the matter immediately and do something in the matter.

" Though a small country, Ceylon is our neighbour and we love that country, we love the people of that country and we want that country to prosper. We are no enemies of Ceylon. Only we want that a peaceful solution to this question should be found and Indians who have gone there and who have been there for generations, who have not even seen this land, should be given the citizenship right. We only request the Ceylon Government not to deny the right of citizenship to Indians in Ceylon. With these words I move my amendment and hope that the Hon. the Leader of the House will add my amendment to the resolution."

* DR. K. B. MENON :— It is unfortunate, Sir, that the cordial relations that existed between India and Ceylon have been brought to a breaking point on the eve of the elections in Ceylon, on an issue on which, I am sure, world opinion will not be on the side of Ceylon. If this proposition had been brought before the Ceylon Parliament before it was prorogued, probably that Parliament would have found a solution acceptable to both sides. It was not done. Now the Prime Minister of Ceylon is taking refuge under sentimentalism and technicalities. Was that a mere mistake or an accident? Judging from the utterances of the Prime Minister of Ceylon at the various public meetings in Ceylon where he has said that he would not like to have these 'Ramaswamis and Kuppaswamis' returned to Parliament, I am afraid he is trying to tickle the nationalism of the Ceylon nationals. That is a trick that is generally played by the ruling classes to capture and exploit their sentiments in their own interests. It is not something which is uncommon to us. The British people played on the sentimentality of our people and we have paid dearly for it. We have lost a part of India as a result of that.

" Sir, after all, the eight lakhs of people who have gone to Ceylon, went there at the invitation of the people of Ceylon. They have been there for a long time. They have worked for Ceylon. They have done everything for Ceylon. And now they feel it is their duty to apply for the citizenship of Ceylon. It is only fair to expect the people of Ceylon and the Prime Minister of Ceylon to accept and acknowledge the rights of Indians in Ceylon. If this is not done and if certain bogies and objections are raised by them the question naturally arises, 'Why is it that they are doing all this?' I am afraid the only answer I can find for that is, to divert the attention of the people from the main issues at stake in the elections. By raising this issue of Indian immigrants in Ceylon claiming their citizenship rights, he has very successfully diverted the attention of the voting public from the main economic and political issues that ought to loom large in any election campaign. To that extent I feel the Prime Minister of Ceylon and his party have succeeded in the game.

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"Now where is a solution for this problem to be found? Is the solution to be sought in the United Nations Organization, or is it to be expected to come from the Prime Minister of Ceylon? The eight lakhs of people who ask for citizenship rights are poor people, common people and therefore our appeal also should be to the common people of Ceylon, the workers and the poor peasants of Ceylon and not to the State. I am sure the people of Ceylon will back up the cause of the Indians in Ceylon and find a satisfactory solution."

SRI K. T. KOSALRAM :— கனம் தலைவர் அவர்களே! இலங்கையில் வாழ்கின்ற எட்டு லக்ஷம் இந்தியர்களுக்கும், அவர்களது பிறப்புரிமையாகிய, பிரஜா உரிமையாகிய மேலா நுரிமையைக் கொடுக்க இலங்கை சர்க்கார் தவறி விட்டதின் காரணமாக இன்று இச் சபையிலே கொண்டுவந்துள்ள தீர்மானத் தைப்பற்றி கனம் மந்திரி அவர்களும், மற்ற அங்கத்தினர்களும் பேசினார்கள். அந்த அக்கிரமமான ஒரு செயலை எதிர்த்து இன்று காந்திய முறையில் போராடுகின்ற சத்தியாக்ஷிகளுக்கு அனுதாபம் தெரிவிக்கும் ஒரு பகுதியும் அந்தத் தீர்மானத்தில் சேர்க்கப்பட்டிருக்கிறது. உண்மையிலேயே இந்தியாவில் வாழும் இந்தியர்களைவிட இலங்கையிலே வாழ்கின்ற மக்கள் தான் அவர்களிடம் அதிகமாக அனுதாபம் காட்டக் கடமைப்பட்டிருக்கிறார்கள்.

"எனென்றால் சுமார் ஐம்பது வருஷ காலத்திற்கு முன்னால் இலங்கை இந்திய மாபாணத்தின் ஒரு பகுதியாகவே இருந்தது. காரும், மலையுமாக அப்போது இலங்கை இருந்தது. சென்னை மாகாணத்தின் ஒரு பகுதியாக இருந்த அந்த இலங்கை மிகவும் பிற்பாக்கான நிலையில் இருப்பதைக் கண்டு அடபொழுது இருந்த மேன்மை தங்கிய கவர்னர் அவர்கள் இங்கே இருந்த இந்திய மக்களுக்கு ஒரு சரியான உறுதிமொழி கொடுத்து 'நான் இலங்கைக்குப்போய் அதை வளமையும், செழுமையும் உள்ளதாக ஆக்குங்கள். இலங்கை செழுமைபற்றதாக இருந்தால் அது சென்னை மாகாணத்தையே பாதிக்கின்றது' என்று சொன்னதன்பேரிலேயே இவ்வருந்து இந்தியர்கள் இலங்கைக்குக் கப்பலேற்றப்பட்டார்கள். இலங்கை சென்ற இந்தியர்கள் தங்கள் இரத்தத்தைச் சித்தி பகலும் இரவுமாக வேலை செய்ததின் காரணத்தால்தான் இன்று இலங்கை அரசாங்கத்திற்கு தேயிலை தோட்டங்களிலிருந்தும் ரப்பர் தோட்டங்களிலிருந்தும் 100 கோடி ரூபாய் வருமானம் வந்துகொண்டிருக்கின்றது. இந்த 100 கோடி ரூபாய் வருமானம் இல்லையானால், இன்று இலங்கை அரசாங்கமே இருந்திருக்க முடியாது. நம் நாட்டு இந்தியர்கள் இலங்கையிலே போய் குடியேறி இரத்தத்தைச் சித்தி உழைக்கவில்லையானால், இந்த 100 கோடி ரூபாய் வருமானம் இலங்கை அரசாங்கத்திற்கு வந்துகொண்டிருக்காது. அப்படி நாட்டை வளமைப்படுத்தி, செழுமைப்படுத்தி அரசாங்கத்திற்கு வருமானம் வாங்கித்தந்த எட்டு லக்ஷம் தமிழர்களுக்குதான் இன்று இலங்கை அரசாங்கம் பிரஜா உரிமை கொடுக்க முறுக்கின்றது. இது மிகவும் கண்டிக்கத்தக்க நன்றிகெட்ட செய்கையாகும். இந்தமாதிரியான ஒரு விஷயத்தில் என நண்பர் ராவ் அவர்கள் சொன்னார்கள் 'அங்கே வாழும் இந்தியர்களுக்கு சரியான தீர்ப்பு அளிக்கப்படவேண்டும், அல்லது அவர்களைத் தாய் நாட்டிற்குத் திருப்பி அழைத்துவிடவேண்டும்' மென அவர்கள் கூறிய யோசனையை நானும் முழுமனதோடு ஆதரிக்கிறேன்.

"அதிரூட்ட வசமாக சென்னை மாகாணத்தின் முதன் மந்திரியாக கனம் ராஜாஜி அவர்கள் இப்போது வந்திருக்கிறார். மத்திய சர்க்காரினும் அவர் பதவி வகித்து வந்திருக்கிறார். இலங்கைக்கும் அவர் நேரிடையே சென்று பார்த்திருக்கிறார். அங்கேயுள்ள இந்தியர்களின் நிலை என்னவென்று அவருக்கு நான் எடுத்துச்சொல்ல வேண்டியதில்லை. அங்கேயுள்ள இந்தியர்களின் உரிமை பறிக்கப்படுமேயானால் அதைப் பார்த்துக்கொண்டு எந்தத் தமிழனும் இங்கே சுமமா இருக்கமாட்டான். இலங்கை சர்க்காரைக்

12th May 1952] [Sri K. T. Kosalam]

கைப்பற்றிய அட்லிகளும் டட்லிகளும் பதவிக்கு வந்தவுடனேயே சட்ட சபையிலே ஒரு தொண்டைமாதே ஒரு அஜீலோ, சுப்ரமணியமே ஒரு தமிழை வருவதை நான் பார்த்துக்கொண்டு சும்மா இருக்கமாட்டேன் என்பதாக பதிரங்கமாக தேர்தல் கூட்டங்களிலே இந்தியர்களுக்கு விரோதமாகப் பேசுவதைப் பார்க்கிறோம். இந்தியர்களுக்கு அளிக்கப்படும் பிரஜா உரிமையைப் பறிக்க அந்த சர்க்கார் பலவந்தமான செயல்களிலே ஈடுபடும் பொழுது நம்முடைய இந்திய ஹை கமிஷனர் அங்கே இருந்தகொண்டு என்ன செய்கிறார் என்றே தெரியவில்லை. பொதுவாக இலங்கைக்கு நியமிக்கப்படும் ஹை கமிஷனர்கள் திறமை மிக்கவர்களாகவும் தமிழர்களுடைய உரிமைகளைக் காப்பாற்றுவதற்காக போரிடக்கூடியவர்களாகவும் இருக்கும் படி இந்திய சர்க்கார் கவனித்துக்கொள்ளவேண்டியது மிகவும் அவசியமாகும். இன்று இந்தியர்களுக்குப் பிரஜா உரிமையும் வழங்க மறுத்து விட்டு இலங்கை சர்க்கார் பொதுத் தேர்தலை நடத்துவதற்கு வேண்டிய தீவிரமான நடவடிக்கைகளில் இறங்கியிருக்கிறார்கள். இவ்வழக்கை சர்வதேசக் கோரிடாக்குக் கொண்டு போகும்படியாகக் கேட்டுக்கொள்ளுகிறேன். நாமும் காமன்வெல்தில் இருக்கிறோம். இலங்கையும் காமன்வெல்தின் கீழுள்ள நாடுதான். அதனால் மிகவும் தாராளமாக இந்த விஷயத்தை உலகக் கோரிடாக்குக் கொண்டுபோய் பொதுத் தேர்தல் அங்கு நடக்காது படி உடனடியான தடை உத்தரவு போடுவதற்கு வேண்டிய ஏற்பாடுகளையும் கனம் ராஜாஜி அவர்கள் எடுத்துக்கொள்ளவேண்டுமென்பதாக நான் கேட்டுக்கொள்ளுகிறேன். இந்த விஷயமாக இந்திய சர்க்கார் அவர்களுக்கும் கனம் ராஜாஜி அவர்கள் சரியானபடி 'அவைஸ்' பண்ணவேண்டுமென்பதாகவும் நான் கேட்டுக்கொள்ளுகிறேன்.

“ இன்னும் ஒரு ஒரு விஷயத்தைப்பற்றி எடுத்துக் கூற விரும்புகிறேன். நம் நாட்டுச் சர்க்காரர்களான 8 லட்சம் இந்தியர்கள் இன்று இலங்கையில் இருப்பதால்தான் இலங்கை அரசாங்கத்திற்கு 100 கோடி ரூபாய் வருமானம் வருவதை எப்பதை யாரும் மறுக்கமுடியாது. அந்த 8 லட்சம் இந்தியர்களையும் உடனடியாக இந்தியாவுக்குத் தருவித்து விட்டால், அந்த அரசாங்கத்திற்குக் கிடைத்துவரும் அத்தனை ரூபாயும் நிச்சயமாக விரயமாகிவிடுமென்பதை நான் சொல்லுவேன். அகில இந்திய காங்கிரஸ் கமிட்டிக் கூட்டத்தில் ஒரு சந்தர்ப்பத்தில் நேருஜி அவர்கள் சொன்னார்கள், அப்பொழுது கனம் ராஜாஜி அவர்களும் அங்கே இருந்தார்கள், இலங்கையிலுள்ள நம்நாட்டு மக்களின் பிரஜா உரிமை பறிக்கப்படுமென்பதால் நான் சும்மாயிருக்கமாட்டேன். அவர்களுக்குள்ள உரிமை சரியாக வழங்கப்படவேண்டும். இல்லையென்றால் அவர்கள் தாய் நாட்டுக்குத் திரும்பி அழைக்கப்படவேண்டுமென்பதாக அவர் சொல்லியதை யாரும் மறந்திருக்க முடியாது. இன்னொன்றும் சொல்லுகிறேன். பாகிஸ்தான்விருந்து இன்று லட்சக்கணக்கான அகதிகளை நாம் திருப்பி அழைத்து அவர்களுக்கு இங்கே இருக்க இடமளிக்கவில்லையா? சென்னை மாகாணத்தில் மாதிரும் இன்று 10 ஆயிரம் அகதிகள் வந்திருக்கிறார்களே. அதைப்போலவே இன்று இலங்கையிலுள்ள நம் இந்தியர்கள் யாவரையும் திருப்பி அழைத்துவிட வேண்டியதுதான் மிகவும் முக்கியமான காரியம். அப்படி திருப்பி அழைத்துவிட்டால் நிச்சயமாக இலங்கை சர்க்காருக்குக் கிடைத்து வரும் நூறு கோடி ரூபாய் வருமானமும் நின்றுபோய்விடும். அதிலிருக்கும் இந்த விஷயத்தை நம் நாட்டுத் தலைவர்கள் யாருமே புரிந்து கொள்ளவில்லையென்று நான் நினைக்கிறேன். நம் நாட்டு இந்தியர்கள், இப்போது அங்கே உள்ளவர்கள் நிச்சயமாக சோம்பேறிகள் அல்ல. இலங்கையிலுள்ள காடுகளையும், மலைகளையும் அழித்து அதை செழிப்புள்ள ரப்பர் தோட்டங்களாகவும், தேயிலை தோட்டங்களாகவும் ஆக்கிய உழைப்பாளி மக்கள் அவர்கள். அவர்களை திருப்பி இந்தியாவுக்கே அழைத்தாலும் அவர்கள் இங்கேயுள்ள காடுகளையெல்லாம் நன்றாக விவசாய நிலமாக்கிப் பாடுபட்டு உழைத்து நிச்சயமாக நம் நாட்டு உற்பத்திப் பொருளை பெருக்குவார்கள். அதில் யாருமே சந்தேகப்படவேண்டியதில்லை. அதனால் அங்கேயிருக்கும் எட்டு லட்சம் தமிழர்களும் திருப்பி அழைக்கப்படுவார்களேயானால் எப்படி அவர்கள் ஜீவிக் வாயி செய்வது என்பதைப் பற்றிக் கவலைப்படவேண்டாம். குறிப்பாக அங்கே வாழும் இந்தியர்கள் தங்கள் தாயகமாகிய இந்தியாவில் வாழும் மக்கள் தங்கள் விஷயமாக என்ன செய்யப்போகிறார்களோ என்று

[Sri K. T. Kosalram]

[12th May 1952]

ஆவலோடு எதிர்பார்த்துக் கொண்டிருக்கிறார்கள். சாத்வீக முறையிலும் போராட்டம் நடத்த ஆரம்பித்திருக்கிறார்கள். இலங்கை அரசாங்கம் அவர்களிடம் சரியான முறையிலே நடக்கத் தவறிவிட்டது. இந்த இக்கட்டான நிலையில் நாம் அவர்களுக்கு சரியானபடி உதவி செய்து அவர்கள் நம் மீது வைத்திருக்கும் நம்பிக்கைக்குப் பாத்திரமாக வேண்டும். நண்பர் ஸ்ரீ சாமி நாதன் அவர்கள் சொன்னதுபோல உலகக் கோர்ட்டுக்கு உடனடியாக இவ் விஷயத்தை எடுத்துச் சென்று அங்கே தேர்தல் நடக்காதபடி தடுக்க தக்க நடவடிக்கை எடுக்கவேண்டுமென்பதாக கனம் ராஜாஜி அவர்கள் இந்தியப் பிரதம மந்திரி நேருஜி அவர்களை வலியுறுத்திக் கேட்டுக் கொள்ள வேண்டுமென்பதாக நான் கேட்டுக்கொள்ளுகிறேன்.

“இலங்கை அரசாங்கம் சுதந்திர நாடாக இருக்கிறது. பண்டார நாயகர் அங்கேயிருக்கும் தமிழர்களுக்கு இருக்கின்ற எல்லா உரிமைகளையும் பறித்து விடுவதற்குக் கங்கணம் கட்டிக் கொண்டிருக்கிறார். இலங்கை சுதந்திரம் அடைந்தபோதிலும் அங்கேயிருக்கின்ற அமெரிக்க ஆய்வுகள் முதலாளிகளிடம் அவர்கள் சம்பம் எதுவும் காட்ட முடியவில்லை. ஆனால் இலங்கையில் மிக அருகில் இருக்கும் இந்திய நாட்டின் கூலி மக்களிடம் அவர்கள் நடந்து கொள்ளும் முறை மிகவும் வெட்கப்பத்த தக்கதாகும். நாமும் அதைப் பார்த்துக்கொண்டு வாளாவிருப்பது மிகவும் சரியான முறையல்ல. இன்று இலங்கையிலுள்ள எட்டு லட்சம் தமிழர்களும் அவ்வரசாங்கத்தின் நடத்தைக்கு எதிராக போராட்டம் அவசியமிருக்கிறார்கள். அவர்களுக்கு உதவி செய்ய எங்கள் திருநெல்வேலி மாவட்டத்திலிருந்து மாதந்திரம் பல்லாயிரக் கணக்கான மக்கள் இலங்கை செல்ல ஒவ்வொரு நிமிஷமும் துடித்துக் கொண்டிருக்கிறார்கள். அவர்கள் அங்கே செல்ல இந்திய அரசாங்கம் பாஸ் போர்டு கொடுத்த உதவி செய்யாவிட்டாலும் பரவாயில்லை. வாயை மூடிக்கொண்டு சும்மா இருந்தாலே போதுமானது. கடற்கரை யோரமாக உள்ள அதிகாரிகளை மொஞ்சம் கண்ணை மூடிக்கொண்டிருங்கள் என்று சொல்லி விட்டாலே போதுமானது. திருநெல்வேலி மாவட்ட மக்கள் அங்கே சென்று கார்த்திய முறையில், அலரிச்சா முறையில் அவர்கள் நடத்தும் போராட்டத்திற்கு தங்களுடைய உதவிகளை எல்லாம் கொடுத்து அவர்கள் போராட்டம் வெற்றியடைய எல்லாவற்றையும் செய்வார்கள். ஆகையினால் நான் கனம் பிரதம மந்திரி அவர்கள் மிகவும் தாழ்மையாகக் கேட்டுக்கொள்வது இது தான். இலங்கை செல்ல விரும்புவோர்களுக்கு பாஸ் போர்ட் உடனே கொடுங்கள். இல்லையானால் கட்டுக்கரைப் பக்கமுள்ள அதிகாரிகளை கண்ணை மூடிக்கொண்டு சும்மா பேசாமல் இருக்கச் சொல்லுங்கள். என்ன நடக்கிற தென்பதை பின்னர் பார்த்துக் கொள்ளலாம், என்பது தான்.

“இலங்கைக்குச் சுதந்திரம் வாங்கிக் கொடுத்தவர்கள் இந்தியர்கள்தான். இதை இலங்கை சர்க்காரும் மறுக்க முடியாது. வேறு யாரும் மறக்க முடியாது. அப்படி இலங்கைக்கே சுதந்திரம் வாங்கிக்கொண்ட போராடிய இந்தியர்களுக்கு இப்போது பிரஜா உரிமை கொடுக்க மறுக்கப்படும்கூட அதை இந்தியா பேசாமல் பார்த்துக்கொண்டிருந்தால் இந்தியாவுக்கு அதை எதிர்க்க தைரியம் இல்லையென்றே அர்த்தமாகிவிடும். அதற்காக குறிப்பாக ஒரே ஒரு விஷயத்தை கனம் மந்திரி அவர்களுக்குச் சொல்லுகிறேன். மனப்படி ஸ்ரீ கிரி அவர்கள் இந்திய ஸ்தானிகராக அங்கே இருந்தார்கள். இப்போது ஸ்ரீ மேனன் இருக்கிறார்கள். யாரும் அங்கேயுள்ள தமிழர்களின் நலன்களைக் குறித்துப் பாடுபடுவதாகவே தெரியவில்லை. வெளி நாடுகளுக்கு ஸ்தானிகரை நியமித்தால் அவர்கள் தங்கள் நாட்டு மக்களின் உரிமைகளை முதலில் பாதுகாக்கப் பாடுபடக் கூடியவர்களாக இருக்கவேண்டியது மிகவும் அவசியமாகும். அதனால், இலங்கைக்கும் சரியான ஸ்தானிகரை நியமித்து அங்குள்ள தமிழர்களின் உரிமைகளைப் பாதுகாத்துக் கொள்ள தக்க வழியைச் செய்யுமாறு கனம் பிரதம மந்திரி நேருஜி அவர்களை கனம் ராஜாஜி அவர்கள் கேட்டுக்கொள்ளவேண்டுமென்பதாக நான் கேட்டுக்கொண்டு இந்த தீர்மானத்தை முழுமனதுடன் ஆதரிக்கிறேன்.”

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supporting the main motion and opposing the amendment moved by my friend Sri R. V. Swaminathan. Although for the purpose of playing to the gallery, the Hon. Minister Mr. C. Subramaniam stated the other day that the role of the Opposition is to oppose each and everything for the sake of opposing at any time and every time, whether it is good or bad, I, as one belonging to the Opposition can say that we are here to make the Treasury Benches become wise and sober. We are not here to oppose anything for the sake of mere opposition. If the hon. Members sitting on the Treasury Benches would go through the amendments moved to the motion on the Address of His Excellency they would find notice of an amendment by my friend Mr. Balakrishna Servai. He was then very hesitating and at one time he even thought of withdrawing the amendment. But since there was no conciliatory reply from the Treasury Benches he did not withdraw his amendment but pressed it to a vote. I am glad at least today we are supporting this motion which is before the House.

" Let us realize that when we are supporting the motion championing the cause of the citizens of Ceylon of Indian origin, we are also supporting the cause of democracy in Ceylon. These eight lakhs of Indians who are now denied citizenship rights in Ceylon are mostly people employed in the tea and rubber estates owned mostly by the British people. Before the attainment of Independence, the British were ruling Ceylon. Their policy of divide and rule has not even now ended in Ceylon. If the British interests in Ceylon are to be protected they can carry on only by their life-long policy of divide and rule. This is the secret behind the denial of citizenship rights to the Indians settled there. Their attempt is to divide the forces of democracy in Ceylon. We should not forget this fact when we deal with this problem.

" The Indians who have settled there and who have contributed so much for the development of Ceylon are now denied their legitimate rights. Their interests are identical with those of the Ceylonese people themselves. Naturally we could expect support from the Ceylonese people themselves for the cause of Indians. Even the democratic parties in Ceylon are supporting the cause of these eight lakhs of unfortunate Indians. In spite of all these, the ruling classes in Ceylon are adamant in denying citizenship rights to our unfortunate brethren. For this unfortunate state of affairs the foreign policy of the Indian Government requires examination.

" An amendment has been given notice of by my friend Mr. R. V. Swaminathan that the matter be referred to the United Nations Organization. We have had bitter experience of the United Nations through our Kashmir issue. We know what is going to happen to Kashmir ultimately and we also know what is going to be the attitude of the people of Kashmir towards India. We gain nothing in inviting the United Nations Organization to interfere in our affairs. This is a similar matter between the people of India and the people of Ceylon. Reference of this issue

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to the United Nations Organization would mean an invitation to the Imperialists to interfere in our affairs, and to increase the bitterness between India and Ceylon. The Hon. Minister Mr. C. Subramaniam may oppose the amendment of Mr. R. V. Swaminathan for different reasons. Possibly he may object to the amendment on the ground that such an action on our part may embarrass the Central Government. But I am not concerned with the Central Government or this Government, with this party or that. I am concerned with the legitimate interests of the people of Ceylon. While supporting the cause of the Indians in Ceylon we should raise our voice against ill-treatment meted out by the Imperialists to our brethren whether in Malaya or Africa or Burma or Indonesia. This problem is closely linked with the freedom struggle of the natives of all these countries over the colonial rule. If we keep in mind what is happening to our people in Malaya and take proper action, that will be heartening to our brethren in Ceylon. If we keep mum, then the ruling classes in Ceylon will be emboldened to exploit our people still more. I should say that for all these unfortunate happenings our foreign policy is to be blamed.

"I also wish to make one more submission. There are nearly eight lakhs of Indians who are now denied the fundamental right of citizenship in spite of their having taken Ceylon as their motherland. We must also demarcate from them certain other kinds of people who claim equal facilities with the Indians but who in reality are making huge fortunes at the expense of the Ceylonese people. We should never support the claim of such kind of people who do good neither to our fair name nor to Ceylon.

"Sir, I think I have made my points clear. With these words, I support the main motion moved by the Hon. Minister Mr. C. Subramaniam and oppose the amendment given notice of by my friend, Mr. R. V. Swaminathan. In conclusion, I wish to observe, Sir, that we, the members of the Opposition, are here not to oppose everything and speak empty words but to make the Government wise and sober. We do not believe in empty threats, nor are we going to be cowed down by the threats."

* DR. P. VARADARAJULU NAIDU :—"Mr. Speaker, the question of refusal of citizenship rights to the Indians in Ceylon is not a simple question; it has a great political importance. During the last fifty years, the British who had been ruling Ceylon knowing that we Indians would ultimately be free, wanted to create anti-Indian feeling either on communal basis or on religious basis or on territorial basis. In these three things, they succeeded. As a result of such a policy by Britain even in Burma, we are all aware how our people were driven from that country. Next comes Ceylon. In South Africa, the condition is really worse. Some of my friends have written to me that they would be returning to India very soon. A great danger is involved when the Ceylon Government refuses to give our people their elementary right of citizenship.

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" The British or any other nation in the world think that South Indians, like the Scotch people, are the most intelligent, and wherever they go, whether to Ceylon, Malaya, Burma, or Africa, or even to America, they come forward very well. Not only as labourers have they succeeded in establishing a reputation as hard-working wage-earners, but as businessmen also they have come up very well. But, now the question involved is merely political. 3-33 p.m.

" Sir, when I had been to Ceylon in 1937 to preside over the Tamilar Conference in that country, I said, in my speech at Kandy, that, when India got freedom, Ceylon should be our naval base. Now, it is going out of our influence. Ceylon had been part of our country for centuries. Those who have watched the history of the development of Ceylon will see that particularly the Tamilians have done yeoman service to that country. Even to-day in the Colombo Museum, there is a crown and a special throne depicting Tamil culture, which shows that the civilization of Ceylon is based entirely on Tamil culture. Now, they want to send the Indians away, not because they are not wanted there, but because the British people do not want the Indian sphere of influence to spread in any of the neighbouring countries of India.

" Then, Sir, to add to our troubles, in Pakistan we are not wanted; we are not wanted in upper India where there is a distinct dislike of Madras; in Ceylon we are not wanted; and in Burma we are not wanted. Therefore, Sir, we must take serious note of the situation. Again, Sir, we are supposed to be members of the Commonwealth. A grave doubt has come into my mind whether it is worth while to be in the Commonwealth when they are not able to protect our people within the Commonwealth. Therefore, I think a time may come when we have to disown our relationship with the Commonwealth entirely.

" Now, Sir, however much we differ from the Communists and the Soviet policy in countries within the Russian sphere of influence, we do not have this kind of disparity or distinction created or communalism fomented. Whenever the British have had their influence, we are now eating the bitter fruits of their influence. Therefore, Sir, there is no use taking our case before the U.N.O. as suggested by an hon. Member. U.N.O. is a huge fraud played on the world. The U.N.O. was created after the Second World War. After the First World War, they had what they called the League of Nations; and the Second World War brought forth the U.N.O. We have had bitter experience as regards taking our case before the U.N.O. You know what happened in the case of Kashmir. They are not going to solve the Kashmir problem during our lifetime; they will keep it perpetually burning, so that we do not come together. So, Sir, in regard to the suggestion that we may take the Ceylon question before the U.N.O., I hope that mistake will not be committed. Sir, the solution of the problem lies in the hands of the Government of India. If the Government of India and the Government of Madras cannot have the courage to solve the problem, I can say with all the force I can command

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that the time will come when the Tamilians will take their armies to that country and rescue our people. With these words, I support the resolution."

* SRI V. BALAKRISHNAN :—Mr. Speaker, Sir, my amendment to the motion of thanks to His Excellency for his Address contained a similar object, but unfortunately, it got miscarried. Of course, it was not intended to carry a negative sense or even remotely to imply a censure. It was, on the other hand, purely informative and suggestive and nothing more. It was intended to convey to the Government of India the anxiety of the people of the Madras State who rightly feel that they are connected with their compatriots in Ceylon who are involved in the Satyagraha movement.

" Sir, the Ceylon Indian problem is essentially a Ceylon-Madras problem, because 95 per cent, if not more, of the people involved are all descendents of the original inhabitants of the Madras State. Though my amendment to the motion of thanks fell through, I am, however, happy at the appearance of this resolution. The situation in which I am, now could best be described by quoting the famous Tamil homely story of the mother-in-law and the daughter-in-law for the benefit of the non-Tamil Members of the House. The arrival of a new daughter-in-law provoked the mother-in-law so much that the mother-in-law, seeing a beggar in front of her daughter-in-law with a begging bowl receiving grains from her, and feeling zealous of her own rights over the house, rushed to the beggar, turned the bowl upside down and reprimanded her daughter-in-law. Not content with that, to display her right, she herself took a handful of grains and put them into the bowl. In the same manner, the Government were unwilling to allow my amendment with the same object to go through, but have now come forward with this resolution to their credit. Irrespective of the authors, I welcome this resolution and I support the main motion wholeheartedly.

" Now, Sir, coming to the resolution itself, it is somewhat obscure and little wide of the mark—mere verbal sympathies and no concrete suggestions. The question of the citizenship of Ceylon has been once for all decided and it has been accepted by the Ceylon Government, by the Government of India and the Ceylon Indian Congress. They have defined their laws, just as each country according to its needs and conditions has stipulated who shall be admitted to its citizenship and who shall not be. Every independent country has its own laws of citizenship. All citizenship laws of the countries in the world are not uniform. For instance, myself, though of Ceylon origin 100 per cent, had to obtain Indian citizenship right according to the Indian laws and I had to go through all the required proofs and formalities of the laws of India. No doubt, the citizenship laws of Ceylon are rigorous and severe compared to those of some other countries. Can we blame Ceylon because their laws are severe and rigorous while our laws are easy

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and not difficult? The Ceylon laws cannot be easily complied with and are beyond the capacity of our ordinary folk who are there for centuries and generations.

"The immediate issue has passed beyond the principle of citizenship and is not immediately concerned with the eight or nine lakhs of Ceylon Indians. Of these several lakhs of Indians who were given time to apply for citizenship, only about 2½ lakhs of Indians applied; and of these, nine thousands have been registered. The bone of contention is with regard to these 2½ lakhs of applicants who were on the electoral registers at the time of the last elections, but are now omitted. Before Ceylon obtained Dominion Independence under the Donoughmore Commission scheme, every resident in Ceylon who had lived there for five years previously and six months immediately before the registration of voters, was given the right of franchise and on that basis a large number of estate labourers living in estates found their names on the voting registers; and consequently many Ceylon Indians—as many as seven—were able to find seats in the Ceylon Parliament and two or three more non-Indians with sympathies for Ceylon Indians also got elected with the support of Indian voters. In independent Ceylon with her rigorous laws, the once enfranchized Indian voters became disfranchized and the chance of even a single Indian getting elected was nullified and the political power of Indians to influence the policy of Ceylon was automatically lost. This, in short is the present situation that has overtaken the Ceylon Indians. The late Prime Minister, Mr. Don Senanayake died suddenly. His son, the Minister for Agriculture—Mr. Dudley Senanayake was appointed to succeed his father as Prime Minister, and after ten days of office as Prime Minister, he dissolved the Parliament to obtain the mandate of his people for his succession to his father as the Prime Minister. With the Indian names out of the registers, and with the two lakhs and odd applications pending, the general elections in Independent Ceylon, for the first time excludes Indians. The Indians were taken by surprise and for the first time statutorily, they have become ineligible and are political outcasts, and naturally an unhappy situation has arisen for our people. Constitutional protests were made without any success. As a last resort Satyagraha was decided upon. I witnessed the inauguration of the Satyagraha. I watched its operation for a week from day to day. It must be said to the credit of the Satyagrahis and their supporters that the satyagraha was absolutely peaceful and perfectly non-violent in thought, word and deed. Mr. Speaker, Sir, as an observer and as one who is genuinely interested in cordial Indo-Ceylon relations, and who is publicly and personally devoted to both countries—to Ceylon as the land of my birth and growth and to India as the land of my adoption and public life—I ascertained the impression of the Ceylonese people in tramcars, buses, roads, saloons, etc. The opinion of the indigenous people of the country was that the satyagraha, irrespective of the merits of citizenship—was most ill-timed and inopportune. The country is going through

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a general election and this is a time when passions are roused easily and tension quickly created, in which the majority people remember their rights only and forget their duties. A slight mishap or an indiscreet word or deed is bound to become exaggerated and enlarged publicly and the consequence is racial hostility and class animosity driving the partisans to violence and physical strife. That is one opinion I obtained from the indigenous people, from the highest to the lowest. These apprehensions are shared widely by many Indians and their representative institutions. It is for this reason that the Indian Mercantile Chamber of Commerce and the Nattukkottai Chettiars' Association are standing out. I also approached the leaders of the movement, Mr. Aziz and Mr. Tondaman, and discussed this matter with them on the verandah of the Prime Minister while they were at satyagraha. Their opinion was that the time factor was the making of the Ceylon Government. They, the Ceylon Indians, had been forced into this situation because, even while the applications were pending and the entire community was disfranchised, without giving any chances to those who have applied, the General Elections were being rushed through purposely to exclude even the small number who have chosen to apply for voting rights. This being the first General Elections in Independent Ceylon and the Indians who were born and who lived and laboured in the country as the heirs of their ancestors who have enriched the country, should feel pride and pleasure in participating in the elections of an Independent Ceylon. They do not want to go down in history as having just played the part of spectators: they would rather go down in history fighting non-violently for their rights than become insignificant and passive political outcasts. The satyagraha was born of this feeling a feeling, Mr. Speaker, that is just and inevitable with which, I am sure, every one in this House would agree.

" Sir, last year, in 1951, I casually discussed this matter—Ceylon Indian problem—with the present Prime Minister, Mr. Dudley Senanayake, who was then the Minister for Agriculture, under his father, Mr. Don Senanayake. The present Prime Minister, my one-time classmate and playmate at St. Thomas College, though then not connected directly with this question, observed that the Ceylon citizenship laws were equal and fair to all; that Indian had not been discriminated as such and that Ceylon would never be unfair and unjust to anybody, particularly to Indians.

" Mr. Speaker, Sir, the immediate point is how best to effect an amicable settlement leading to the withdrawal of satyagraha. The General Elections should be over in a month and as the polling dates draw near, tension is bound to increase, tempo to aggravate, and recrimination to spread. Today's papers announce that 70 satyagrahis have been called up, and with the actual voting days fast approaching, feelings on both sides are bound to become enraged and embittered. Is this situation to continue, each day widening the gulf? If no solution is possible, at best the growing tension should be eased.

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" Mr. Speaker, Sir, Satyagraha in this country is entirely different to the movement in Ceylon. The backgrounds of the movements in India, Ceylon and South Africa are fundamentally different, though common objectively. In India we fought against foreign domination. In South Africa the indigenous South Africans made common cause with us against a microscopic minority of Whites. Whereas in Ceylon, non-Ceylonese—or at best those whose rights according to prescribed laws have yet to be recognized—are struggling against the nationals of the country at a time of public abnormality. This difference in background must not be lost sight of. Mr. Speaker, Sir, I was born under a tea bush, grew on a tea estate; every inch of my body and every drop of my blood is of Ceylon origin, growth and development. I cannot contemplate any coldness and deterioration of feelings between Ceylon and India—between my natural mother and my adopted mother.

" Sir, two suggestions to break the situation were current in Colombo during my stay. One suggestion emanating from the Ceylonese side was to provide three representatives to the Ceylon Indians by nomination. The Ceylon Indian Congress is, on principle, definitely against representation by nomination. The other suggestion from the Ceylon Indian circles is to declare the seven Indian constituencies as dual-member constituencies and to have by-elections to these constituencies after the General Elections, on the 1949 electoral basis, thus enabling Indians to choose their representatives. This suggestion which concedes the Ceylon Indians' demand is considered to be impractical, since it involves constitutional changes.

" Sir, a deadlock exists, satyagraha continues, bitterness grows. I appeal to our Chief Minister to take up the matter with our Central Government and devise ways to stop the widening gulf. Many a difficult knot in this country has been untied by our Chief Minister.

" Sir, I suggest that a Goodwill Mission be sent from this country to Ceylon to meet both parties and evolve an amicable settlement. Let our anxieties be allayed. Let the cordiality and affinity that have existed through centuries between the two countries be not marred; let them grow and flourish. Let us pray for success to the cause of our compatriots in Ceylon. Let us with equal fervour pray for the emergence of our people from this ordeal without any bitterness or ill-will against the Ceylon people, should the object be not achieved who were on the electoral registers at the time of the last elections and who are now omitted.

" Sir, in this connexion, I would like to make one or two suggestions for a solution of the problem. While I say it, I want to refer to one proposal connected with an undertaking between the leaders of parties contesting the elections, namely, that constituencies where Indian settlers have lived—which are about seven or eight—shall be declared as dual-member constituencies and that after the general elections are over, a re-election be held for these constituencies and opportunity given to disfranchised Indians, to

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exercise their franchise and allow them to select their own men. It was also said that Indians might be nominated to Parliament. But, on this question of nomination, Mr. Tondaiman and Mr. Rajalingam were emphatic and they were not prepared to accept nomination. I would plead with the Hon. Chief Minister to make some concrete proposals to the Government of India, so that they may take up the question in right earnest and allay the anxieties of the people of the Madras State.

“ Sir, I am a man of Ceylon origin and every inch of my body and every drop of blood in my body owes its origin to Ceylon. The whole of the island consists of tea estates and I shall not like any diminution in the cordiality of feelings that exists between Ceylon and India and I am prepared to give my life for it. I would plead with the Hon. Chief Minister to see that the relationship between these two peoples, which is already deteriorating, does not deteriorate to an irretrievable extent.”

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p.m.

JANAB K. M. SEETHI :—“ Mr. Speaker, Sir, I whole-heartedly support the resolution which embodies the desire of the people of the Madras State to get bare justice at the hands of the Ceylon Government for the Ceylonese citizens who have the sin of their having been Indians at one time. The citizenship rights which our erstwhile countrymen and the present citizens of Ceylon claim should not be denied to them by any canon of justice or equity. Those countrymen are now suffering and struggling for getting justice done to them. The discrimination against Indians in various parts of the world affects our very self-respect. It is a dramatic irony that discrimination is shown against a people born in a country where a great sage was born who gave to Ceylon its religion and philosophy of which the Ceylonese are proud even to-day. It is a double irony that an Asiatic country like Ceylon, which should maintain good-neighbourly relations with India with which she has very many ties of kinship, should indulge in narrow ideas of nationalism and discriminate against Indian born citizens of Ceylon. As a matter of fact, the prosperity of Ceylon is the result of the contribution made by Indian labour and Indian trade and commerce. Sheer gratitude requires the Ceylonese to concede to the Indian born citizens of Ceylon, the citizenship right which they are now asking for. Indians did not go there as birds of passage to snatch certain advantages which they did not deserve. They went to Ceylon to settle permanently and shared in the weal or woe of that country. To deny franchise rights to full-fledged citizens of Ceylon is a denial of justice to a section of humanity. We have to do our utmost in expressing our sympathy and supporting the cause for which our erstwhile countrymen are struggling in Ceylon. As has been said by the hon. Member who just sat down, all conciliatory measures have to be adopted to find a peaceful settlement of this question. The High Commissioner of India in Ceylon was very conciliatory. He did his best to convert the Ceylon Government to a reasonable frame of mind, but failed. I believe the Government of India also are taking a conciliatory attitude and carrying on negotiations with the Ceylon Government

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for a peaceful solution of this problem. Though our attempts till now have failed, there is no reason to despair. We have to persevere in our attempts to find a peaceful settlement.

"If we accept the amendment for referring the matter to the U.N.O., I feel it may be taken by the outside world that we are not serious about it at all. When one does not feel about a matter seriously, a reference to the U.N.O. may be thought of. We have so many other ways for getting justice done to our countrymen. Till all these means are exhausted, we should not even think of the U.N.O. for settling this problem. I oppose the amendment and wholeheartedly support the main resolution."

SRI A. S. SAHAJANANDAM :—"கனம் தலைவர் அவர்களே, சிலோன் முன்பு ஒரு காலத்தில் சென்னை கவர்னருடைய ஆட்சியில் இருந்தது. அந்த விஷயங்களைப்பற்றி பல அங்கத்தினர்கள் எடுத்துச்சொன்னார்கள். சிலோனிலுள்ள காடுகளை அழிக்க இந்தியாவிலுள்ள வைசியர்களும், வட நாட்டு ஷேட்களும் தங்களுடைய பணத்தைக் கொட்டினார்கள். தமிழ் நாட்டிலுள்ள ஏழை ஜனங்கள் அந்த நாட்டிற்கு அந்தக் காலத்தில் சென்று அந்த நாட்டை வளம்பெறச் செய்து அந்த நாட்டை நல்ல ஸ்திதிக்குக் கொண்டுவந்தார்கள். நான் ஒரு சமயம் சிலோனுக்குச் சென்றிருந்தேன். அங்கு போய் பார்த்தபோது நம்முடைய தமிழ் நாட்டு ஜனங்கள் அங்கு வேலைசெய்யும் பொருட்டு குளிரில் தேயிலை தோட்டத்தில் கீழே உட்கார்ந்து கொண்டும், படுத்துக்கொண்டும், நிற்கும்படியாகவும் இருந்துகொண்டிருந்தார்கள். அப்பொழுது அவர்களை கண்ணால் பார்த்தேன். அவ்விதம் அந்த நாட்டை நல்ல நிலைமைக்குக் கொண்டுவந்தவர்களுக்கு நன்றி பாராட்டாமல் அந்த நாட்டு சர்க்கார் இருப்பது மிகவும் விசனிக்கத்தக்க விஷயமாகும். உலகம் எல்லாம் சுதந்தரம் அடைந்துவரும் இந்த சமயத்தில் இந்தியர்களுக்கு சிலோன் கவர்ன்மெண்டு உரிமையைக் கொடுக்க தவறி விட்டது. அது மிகவும் விசனிக்கத்தக்கதாக இருக்கிறது. அங்கே கனம் கே. நேடேசாயர், 'ஆனரபிள்,' மெம்பராக இருந்தார் அந்த காலத்தில். அவரும் வோட்டுப்பெற்றும் வந்தார். அவருக்கு இப்பொழுது உரிமை எவ்வாறு போனது என்பது தெரியவில்லை. இந்தியர்களை விரட்டிவிட வேண்டுமென்ற நோக்கத்துடன் இப்போது அங்கே இந்த வேலையைச் செய்கிறார்கள். ஆகையிலும் இங்கே இருக்கும் நம்முடைய சென்னை கவர்ன்மெண்டின் முதல் மந்திரி அவர்கள் அதற்கு தீவிரமான முயற்சி எடுத்துக்கொண்டால் உடனே அவர்கள் பணிவார்கள். அவர்களும் உடனே பணியத்தானவேண்டும். கனம் கோசலராம் அவர்கள் சொன்னமாதிரி அங்கே இலங்கையிலுள்ள 8 லட்சம் இந்தியர்களையும் இங்கே வரவழைத்து காப்பாற்ற வேண்டுமென்றால் அது முடியாத காரியம். ஆனால் அவர்கள் இங்கு வந்தால், சிலோன் கவர்ன்மெண்டு கவிழ்ந்துபோய்விடும். இலங்கை இந்தியர்களுக்கு இங்கே பிழைப்புக்கு வசதி கிடைப்பாது. ஏற்கனவே அவர்கள் இங்கு பிழைப்பு இல்லாமல் அந்தக் காலத்தில் மலேயா, பர்மா முதலிய இடங்களுக்கும் சிலோனுக்கும் போய் குடியேறினார்கள். அவ்விதம் அங்கு குடியேரியும் இப்பொழுது அவர்களுக்கு அங்கே உரிமை கிடைக்கவில்லை. அங்குள்ளவர்களைக் காப்பாற்ற இந்தியா கவர்ன்மெண்டும், சென்னை கவர்ன்மெண்டும் தக்க நடவடிக்கை எடுத்துக் கொண்டு சிலோனிலுள்ள ஜனங்களுக்கு உரிமைகளை வாங்கிக் கொடுக்கும்படி கேட்டுக்கொண்டு இந்த தீர்மானத்தை முழுமனதுடன் ஆதரிக்கிறேன்."

SRI P. K. GOPALAKRISHNAN :—"Mr. Speaker, Sir, I rise to support the motion. I have a special responsibility to support this motion because not less than ten thousand Indians in Ceylon are from my constituency. Mr. Dudley Senanayake, the Prime Minister of Ceylon, said that the Indians had one leg in Ceylon and another leg elsewhere. I think he wants to make the

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people misunderstand the whole position. There are several lakhs of Indians in Ceylon. All of them are not demanding the franchise right; only those who have chosen to be citizens of Ceylon and have made Ceylon their home are demanding this elementary human right. It is the duty of every democratic citizen of the world to raise his voice in support of the cause of these Indians. Democratic opinion in Ceylon is already rising in favour of the Indians there and certain parties there have expressed themselves in favour of the Indian cause. I think the Government of Ceylon have a definite motive in denying the franchise right to the Indians in Ceylon. Ceylon for long has been a colony of British Imperialism and she still continues to be so. Economically Ceylon is still dominated by British Imperialists, British planters, British bankers and British capitalists. The people of Ceylon are fighting against British imperialism for the attainment of real independence and democracy. The Ceylon Government want to misrepresent to the people that the Indians are responsible for some of their troubles and not the Britishers, and thereby divert the attention of the people from their struggle for real independence. As was said by my hon. Friend Mr. Kalyanasundaram, in supporting the demands of Indians in Ceylon, we are voicing the cause of democracy, the cause of the struggle of the people of Ceylon for real freedom.

“ With regard to the amendment, I think, that nothing can be achieved by referring the matter to the U.N.O. We have already referred the Kashmir question to that body and it is delaying a solution of this question indefinitely. We find that imperialists want to divide the two neighbouring countries of India and Pakistan. If this question is taken to the U.N.O., the imperialists, mainly the American imperialists who are dominating that body, will adopt their old policy of divide and rule and will never solve this problem satisfactorily and quickly. We know that the traditional policy of America is to exterminate the Negroes and Red Indians there and the American-dominated U.N.O. will never fight for the just cause of Indians in Ceylon. So I oppose the amendment and wholeheartedly support the motion. I extend the good wishes of the people of this State to the struggle of the Ceylonese people for real independence. Application of coercion or economic sanctions or reference of the matter to the U.N.O. will not solve the problem. Only by the creation of democratic opinion throughout the world, a real and lasting solution can be found to this problem of the denial of the just civic rights to the Indians in Ceylon.”

* SRI K. R. VISWANATHAN :—“ Mr. Speaker, Sir, I give my wholehearted support to the Government motion expressing sympathy and offering support to the unfortunate Ceylonese Indians in their struggle to establish the rights of citizenship. This message of sympathy, will be a great source of strength and enthusiasm to the struggling people. We learn that by adopting the 1950 list of voters instead of the 1951 voters list though belated for the conduct of general elections in Ceylon, the Ceylon Government

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have denied franchise rights to 8 or 9 lakhs of Ceylonese citizens of Indian origin. I may remind the Madras Government that 80 to 90 per cent of the Indians in Ceylon are Tamilians or at least from Madras and hence the responsibility of the Madras Government for securing to our unfortunate brethren their legitimate rights becomes all the greater.

“ Though this matter has been there for well over a year, the Government of India did not intervene quickly to effect a settlement in favour of the Indian in Ceylon. They raised their protest through the High Commissioner of India in Ceylon only at the last moment when the Ceylon Government had come to a decision about the matter. The Government of India's suggestion to issue an ordinance, since the Parliament of Ceylon was not in session, to protect the rights of Indians was not accepted. The Premier of Ceylon said that he had to respect the wishes of his late lamented father in disfranchising Indians. The Premier of Ceylon did not want to go into the question whether this measure was just or not. He had simply to carry out the wishes and words of his father dead and gone. He did not think that the legitimate rights of several lakhs of people are at stake. It is a pity that Ceylon, a member of the Commonwealth, should turn down the request of the Government of India, a neighbouring country and a member of the Commonwealth, to reconsider its attitude in the matter of the just rights of the Indians in Ceylon. Again the repeated representations of the leaders of the Ceylonese Indian Congress fell on deaf ears as a result of which the Ceylon Indians had to launch the struggle of *satyagraha*. Their peaceful and non-violent struggle for a just and righteous cause will open the eyes of the Government of Ceylon to the injustice done to the large Indian community and thus pave the way for an honourable settlement. With these words, I support the motion.”

* SRI H. SATYANARAYANA DORA :—“ Mr. Speaker, Sir, 4 p.m. I have great pleasure in supporting the motion moved by the Hon. Minister. It is Indian capital and Indian labour that has contributed so much to the prosperity of Ceylon, and yet, nearly eight lakhs of Indians have been denied the right to participate in the general elections. Even now, Sir, Ceylon depends to a very large extent on us for certain very important materials. If they are denied, what will be the effect? Because our Government are good and generous, this kind of obstinacy is persisted in. Ceylon is just like a sister to India. I do hope that good sense would prevail and the large Indian population will be given the franchise. Some of my hon. Friends want to take stronger measures. But I am afraid we have to proceed very cautiously in the matter. Ceylon is as much an independent country as India. What did we do when a number of our people—lakhs and lakhs of our men—who were settled in Burma, were sent out from Burma? I am afraid this is a matter in which we have to proceed very cautiously, and I am sure the Hon. Minister's resolution is sufficient to express our feelings in the matter.”

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* SRI T. ANANTHA PAI :—" Mr. Speaker, Sir, there was a time when the people of India who settled down in all other countries were not given the status they deserved, because they were considered as coming from a slave country. Times have changed and India has become a free country now. So also Ceylon. The condition of the people of Ceylon is not essentially different from that of the people of India. But all the same, India believes in democracy and has extended the right of voting to all those who wanted it. People from other countries who have settled here are given the right to vote. In my own constituency I know of a Swiss lady who is given the right to vote. She has spent most of her time in India. To-day all that the Government of India asks of Ceylon is to extend the right of voting to the people of India who have gone away from India and settled down in Ceylon for very many generations and made themselves part and parcel of that country. They have given their life-blood to see that the rubber and tea plantations of Ceylon prospered. They added considerably to the prosperity of the country. Their services were accepted in full, but unfortunately, they are not given the right to vote. I can say to-day that but for the exploitation of Indian labour, the Ceylonese would not have prospered to such an extent as they have to-day. By extending the right of voting to these Indians who want it, I do not think the Government of Ceylon will in any way change. It is the fundamental right that these Indians are asking for. It is just, right and proper that they should be given the right to vote. Any persistence in the denial of voting rights may endanger and strain the good relations existing between the two countries. India and Ceylon have got many great problems to solve, together, and it is unfortunate that there should be any sore in the relationship between these two countries which may make it difficult for them to pull together. The right of voting extended to these people will add to the fund of goodwill, that it has taken many years to build, and will help India and Ceylon to work together. If the right of voting is not extended, it would lead to the straining of relations between the two countries, and it would continue to be a sore for all time. When larger problems are expected to be handled, it is quite likely that the sore appears over and over again. Personally I do not wish that this matter should be referred to the United Nations at all. They have had sufficient number of problems referred to them and until those problems have been solved, it is not worth sending any more problems to them for solution. I would rather wish, as our friend Dr. Menon said, that a straight appeal is made to the people of Ceylon by the people of India that all those people of India who have settled in Ceylon are part and parcel of Ceylon, and that they should be regarded as such. It is not true to say that they will in any way come in the way of the economic development of the Ceylonese. All that they want is a right to play their role in the economic development of the country."

**SRI K. R. SAMBANDAM :—" கனம் சபாநாயகர் அவர்களே, கனம் சி. சுப்பிரமணியம் அவர்கள் கொண்டுவந்த இந்த பிரேரணையை நான் மனம்

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[Sri K. R. Sambandam]

பூர்வமாக ஆமோதிக்கிறேன். இப்பொழுது அதற்குக் கொண்டு வரப்பட்ட சில திருத்தங்களை—அவைகள் விரும்பப்படாத விஷயமாக இருப்பதால்—அவைகளை எதிர்த்துக்கிறேன்.

“சாதாரணமாக இப்பொழுது கனம் ஆர். வி. சுவாமிநாதன் அவர்கள் யு. என். ஓ.-க்கு இந்த விஷயத்தைக் கொண்டு போகலாம் என்று சொன்னார். சாதாரணமாக காஷ்மீர் பிரச்சனை அங்கு எப்படி தீர்க்கப்பட்டது என்பது நமக்கு எல்லோருக்கும் தெரிந்த விஷயம். இந்த பிரச்சனையில் நாம் ஏதாலும் மனப்பூர்வமாகச் செய்யவேண்டுமென்றால் நாம் ஹைதராபாத் பிரச்சனையை எப்படி சீக்கிரத்தில் தீர்த்தோமோ அதேபோல் செய்யவேண்டும். இல்லையானால் இதில் எந்த விதமான முடிவும் ஏற்படாது.

“இரண்டாவதாக கனம் கோசல்ராம் அவர்கள் பேசும்போது அங்கே இருக்கும்படியான இந்தியர்களை இங்கே கொண்டு வந்தால் ஒரு சமயம் இந்தப் பிரச்சனையைத் தீர்க்கலாம் என்று சொன்னார். இப்பொழுது இங்கே இருக்கும் வேலை இல்லாத திண்டாட்டம் படித்தவர்களுக்கும் படிக்காதவர்களுக்கும் இருக்கும் இந்த சூழ்நிலையில் அதுவும் பாதித்தானிலிருந்து கொண்டு வரப்பட்ட அகதிகள் கூட இங்கு பிச்சை எடுக்கும் நிலையில் இருக்கும்போது இலங்கையிலிருந்து இந்தியர்களை இங்கு கொண்டு வந்தால் அவர்களை வைத்து இங்கு எப்படி சமாளிக்க முடியும் என்ற ஒரு காரணத்தை நாம் யோசித்துப் பார்க்க வேண்டியதாக இருக்கிறது. சாதாரணமாக நமது தென்னாட்டில் இருக்கும் மக்கள் அவர்களுடைய ஒரு சிறிய கருத்துக்களை வைத்துக்கொண்டு தினாக்கல் ஓடியும் திரவியம் தேடு’ என்ற பழமொழிக்கு ஏற்ப அவர்கள் தென் ஆபிரிக்கா, மலேயா, மொரிஷஸ் முதலிய இடங்களுக்குப்போய் அந்த நாட்டை வளம்பெறச் செய்து, பண பதித்த நல்ல நிலைமைக்குக் கொண்டு வந்திருக்கிறார்கள். அவ்வித நிலைமைக்குக் கொண்டு வந்தவர்களுக்கு இப்பொழுது அங்கே வாழவும் கூடாது; பிறப்பு உரிமை கூட கிடைக்கவில்லை என்றால் அது யாராலும் ஆமோதிக்கக்கூடிய விஷயம் அல்ல. ஆகையினால் இந்த விஷயத்தை நாம் ஒரு முக்கிய பிரச்சனையாகக் கருதி கூடிய சீக்கிரத்தில் இலங்கையில் இருக்கும் அவ்வளவு இந்திய மக்களுக்கும் பிரதிநிதித்துவமும் பிறப்புரிமையும் கொடுக்கப்பட வேண்டும் என்பதை நமது பிரதம மந்திரியும் அயல் நாட்டுப் பிரச்சனையில் இதையும் ஒரு முக்கிய பிரச்சனையாக எடுத்துக்கொண்டு இந்த மாதிரியான விஷயத்தை உடனடியாகத் தீர்க்காவிட்டால் பிற்பாடு இந்த பிரச்சனையானது தீர்க்க முடியாமல் போய்விடும். இப்பொழுது தென் ஆபிரிக்காவில் இதே மாதிரி போராட்டம் நடந்துகொண்டிருக்கிறது. அதே மாதிரி போராட்டம் இன்றைக்கு அங்கும் ஆரம்பிக்கப்பட்டுவிடும். இன்னும் இதர இடங்களிலும் மற்றும் மலேயா முதலிய இடங்களிலும் ஏற்படும். ஆகவே இலங்கை இந்திய மக்களின் உரிமைப் பிரச்சனையை ஒரு முக்கிய பிரச்சனையாக எடுத்துக்கொண்டு அதற்கு வேண்டிய நடவடிக்கைகள் எடுத்துக்கொள்ளப்படவேண்டும். அதற்கு வேண்டிய காரியங்களையும் தக்க சமயத்தில் எடுத்துக்கொள்ளவேண்டும் என்று சொல்லிக்கொண்டு இந்த பிரேரணையை முழுமனதுடன் ஆதரித்து அதற்குக் கொண்டு வந்த திருத்தப் பிரேரணையை எதிர்த்து என்னுடைய பேச்சை இதுடன் முடித்துக்கொள்ளுகிறேன்.”

* SRI VAVILALA GOPALAKRISHNIAH :—“అసలు, ఈ బిల్లును నేను వ్యవహారార్థముగా వివరిస్తున్నాను. కాని అసలు ఈ బిల్లును భారతీయుల విషయములో జరుగుచున్న టువంటి సంఘటనలకు మూలకారణముగా ఆలోచించవలసిన అవసరమున్నది. భారతీయులకల్ల ఇటువంటి సంఘటనలు ఒక సిల్ నుల నే కాదు. ఈ సంఘటనలు రంగునుల నుడ జరుగుచున్నది, దక్షిణ ఆఫ్రికాలో జరుగుచున్నది. భారతీయులు ఎక్కడ ఉంటే అక్కడ ఏదో కొన్ని సంఘటనలు జరుగుచున్నాయి. భారతీయులు రంగునుల నుడ ఏదో ఒక సంఘటన, దక్షిణ ఆఫ్రికాలో ఉన్న ఏదో ఒక సంఘటన వింటున్నాము. ఇప్పుడు

[Sri Vavilala Gopalakrishniah]

[12th May 1952]

సిలోనులూ భారతీయులకు సామాన్య మానవునికే ఉండవలసిన వోటింగు హక్కుకూడా లేకుండా చేసినది. కనుక దీనికంతకు మూలవిరాట్ స్వరూపమేమిటో తెలుసుకోవాలి. ముఖ్యంగా మన దేశము కామన్వెల్త్ లో ఉన్న కారణంచేతనే ఈ ఆభావం ; భారతీయులు కామన్వెల్త్ లోని దేశాలకు ఎక్కడికి వెళ్లినా అక్కడ వెళ్లగొట్టబడుతున్నారు. దీనికి ప్రధాన కారణమేమంటే భారతదేశములో ప్రజాస్వామిక ఉద్యమాలు చాలా ప్రబలంగా ఉన్నాయి. దీనికి సంబంధించినటువంటి ఆయా ప్రజాస్వామిక దేశాలలో ఆ ఉద్యమాలను నడుపుతున్నారు. కనుక, అటువంటి సంప్రదాయాన్ని నేర్చుకొన్నటువంటి భారతీయులను అక్కడనుండి వెళ్లగొట్టడమంటే, దీనికి కారణం సామాన్యవాద కుట్ర అనేది మాత్రము మరచిపోకూడదని కోరుతున్నాను. అందువల్ల నేను మనవిచేయనదేవునగా, ఈ విషయాన్ని U.N.O. కు తెలుపుకొంటే ఏమి ప్రయోజనముండదు. వారు దీని పరిశీలనకు ఏదో ఒక సబ్ కమిటీని నియమించుతారు. ఆ సబ్ కమిటీని బ్రితాండు ఈ విషయమై ఆలోచిస్తూనే ఉంటుంది. తుదకు U.N.O. యొక్క సమన్వేయ లేకపోవచ్చు. కనుక U.N.O. కు తెలుపుకోవడంతో ఏమీ ప్రయోజనంలేదు. అందువల్ల ప్రధానంగా మనము చేయవలసినదేమిటంటే, ఇప్పుడు మనము కామన్వెల్త్ లో ఉన్నాము. సిలోనుకూడా కామన్వెల్త్ లో ఉన్నది. కాని కామన్వెల్త్ లో ఉన్నందున మనము అనుభవిస్తున్న దేమిటంటే, భారతీయులు సిలోనులలో ఉంటే అక్కడనుండి మెడబట్టి నెట్టబడడం, దక్షిణాఫ్రికాలో ఉంటే అక్కడనుండి మెడబట్టి నెట్టబడడం, రంగూనులో ఉంటే అక్కడనుండి మెడబట్టి నెట్టబడడం ఈ మదిరి భారతీయులు ఎక్కడ ఉంటే అక్కడ మెడబట్టి నెట్టబడడం జరుగుతున్నది. ఇదేనా మనము కామన్వెల్త్ లో ఉన్నందుకు ఫలితము? కనుక మనము చేయవలసినదేమిటంటే మన ప్రభుత్వము కామన్వెల్త్ సమావేశానికి వెళ్లినప్పుడు ఈ సమస్యను అచ్చట చర్చించి మనదేశము కామన్వెల్త్ లో ఉండి ఏమి ప్రయోజనము? ఎందుకు ఉండవలెను? ఇతర దేశాలలో భారతీయులు నిరాదరింపబడి బహిష్కరింపబడుతున్నారు. వారికి సామాన్య పౌర హక్కులు కూడా ఇవ్వకుండా ఉన్నారు. కనుక ఈ సమస్య న్యాయంగా పరిష్కరింపబడి ఇతర దేశాలలోని భారతీయులకు అన్ని సౌకర్యాలు, పౌరహక్కులు కల్పిస్తేనే గాని, లేకపోయిన మేము కామన్వెల్త్ లో ఉండదలచుకోలేదు అని వాదించవలసినదని కోరుచున్నాను. మన కేంద్ర ప్రభుత్వము కామన్వెల్త్ లో ఉండాలనే కోరుతున్నది. కాని భారతీయులు అన్నిచోట్లనూ ఈ మదిరి బహిష్కరింపబడుతుంటే కామన్వెల్త్ లో ఉండి ఏమి ప్రయోజనము? ఇతరదేశాలవారు మనదేశంలో ఉంటే వారికి మనము అన్ని పౌరహక్కులు ఇస్తున్నాము. వోటింగు హక్కుకూడా ఇస్తున్నాము. ఇంగ్లీషువారు ఉంటే వారికి వోటింగు హక్కుకూడా ఇస్తున్నాము. బర్మావారుంటే వారికి వోటింగు హక్కు ఇస్తున్నాము. సిలోన్ వారు ఉంటే వారికీ కూడా వోటింగు హక్కు ఇస్తున్నాము. దక్షిణాఫ్రికావారు ఉన్నా, వారికి ఇస్తున్నాము. అమెరికావారు ఉన్నా, వారికి ఇస్తున్నాము. ఈ మదిరి మన దేశంలో ఇతర దేశస్తులు ఎవరు ఉన్నప్పటికీ వారికి అన్ని పౌరహక్కులు ఇస్తూ, వారికి మనమెంతో accommodative గా ఉండున్నప్పటికీ, భారతీయుల పట్ల ఇతరదేశస్తులు ఆ మదిరి ఉండడం లేదంటే చాలా విచారంగా ఉన్నది. కనుక నేను మనవిచేయనదేవునగా ఈ సమస్య పరిష్కారము U.N.O. ద్వారా ప్రయత్నించినా లాభములేదు. భారతీయులకు ఏ దేశములో వైనా సామాన్య సిటిజన్ షిప్ హక్కులను ఇవ్వకపోయినట్లైతే మేము కామన్వెల్త్ లో సభ్యత్వాన్ని వంటనే వదలుకొంటామని వెప్పవలసినదని కేంద్ర ప్రభుత్వానికి తెలుపవలసినది కోరుతూ, ఇంతటితో విరమించుకొంటున్నాను.”

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* SRI T. VISWANATHAM :—“ Mr. Speaker, Sir, I only rise to say that the House is unanimous on the subject of this resolution and that there is no difference of opinion in this matter. The disfranchisement of the Indians living in Ceylon is a matter of national concern, and on this we, the Opposition members, are in entire agreement with the Government. We only want that the Government should take effective steps. Some two years ago, we had a similar resolution passed in this House, and I do not know what steps were taken in pursuance of that resolution by the Central Government and what reply the Ceylon Government gave to the Central Government. This House, I believe, did not hear of any reply. However, this time at least I am standing here only to tell the Government that they must take effective steps, and that they must see that the Central Government also take effectives. It should not merely be a matter of representation, but it must be something more. We must put our heart and soul into the matter. I support the resolution.”

* THE HON. SRI C. RAJAGOPALACHARI :—“ Mr. Speaker, Sir, it is a very significant fact that all sections of the House have warmly supported this motion regarding the citizenship rights of Indians in Ceylon. So far as these people that live in Ceylon and have lived in Ceylon and have made Ceylon their home are concerned, they are called Indians on account of the origin of their nationality and not on account of their present civic position. Indians in Ceylon for whom this resolution has been conceived are like people in America who speak English and who came from England or like the people in Canada who came from England and who speak English or like any other people who carry the culture and the language of their country of origin with them but who have worked heart and soul for the progress and the development of the country where they have landed and to which they belong now. It is, therefore, wrong for the people of Ceylon or any section of the people of Ceylon to look upon these people as if they were outsiders or foreigners. This is the fundamental error, the fundamental mischief in the whole attitude against which we are fighting now. There is a great deal of good reason that has been urged against the amendment that has been proposed by my hon. Friend Sri Swaminathan. It is contrary to the approach which I wish, for my part, should be made in this respect. We have to depend upon the better mind of the people of Ceylon. It is no use depending on an outsider for the purpose of putting pressure upon the people of Ceylon. Franchise acquired for 10 per cent of the population of Ceylon by means of pressure from abroad will be worth nothing; it will be not worth the paper on which that franchise is recorded. It is only when the people of Ceylon are convinced and their better mind has turned the other way round and given the franchise that these people are entitled to in justice, that the franchise will amount to something valuable. To make matters quite clear, let us imagine that 10 per cent of the Members of this House get their right in this House through pressure from abroad, be it from the U.N.O. or be it from

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any other great, big and powerful country; would that right carry any weight in this House? It is only when the House recognizes out of its own conviction the right of the 10 per cent—that the voice of even one-tenth or one-twentieth of the Members of this House will have great weight. What applies to the imaginary case that I have put forward applies to the whole of Ceylon. If the people of Ceylon really can be convinced that these emigrants from India who went there and tilled and worked and worked hard—some of them died, some of them fell sick, and from one generation to another they have worked—have looked upon Ceylon as their home, so much so that when they come back to India they really feel as absolute strangers in India, and if the people of Ceylon recognize the value of the service rendered by these people, then alone would their franchise be valuable, and it is on that basis that we claim the franchise. It is not as if we have sent 8 lakhs of people abroad to conquer that place or to get the franchise of that place and dominate over others. These 8 lakhs of people have settled in Ceylon as citizens of Ceylon and it is unfortunate that fear, apprehension and petty and narrow ideas of self-interest have prevented those who are in charge of the fortunes of Ceylon and of the politics of Ceylon from seeing the true position and they have not been able to recognize the plain justice of the case of these people for whom we are fighting. But we should never give up hope. It is no use thinking in terms of either economic, political or other pressure from outside and force being utilized as a means of getting the right, which like the Dead Sea fruit will be worthless as long as we acquire it through that pressure. It is only if we acquire it in the proper way that franchise will have any value. We do not hope and cannot hope that these eight lakhs of people will multiply in future and get numerical influence in the politics of the State. What we want is the right that belongs to them by reason of their attachment to Ceylon. Therefore, we should be patient. Neither the method that was referred to by one hon. Member who spoke as the method employed in bringing order in Hyderabad nor an appeal to the U.N.O. to be our arbiters and decide between us two cats fighting here, should be thought of and I beg of the hon. Member Sri Swaminathan to withdraw the amendment to this motion. This motion stands on higher grounds. Let it stand on its own legs.

“ Sir, many hon. Members from both sides of the House have referred to the influence which our Prime Minister, the Prime Minister of India can wield and ought to wield in this matter for the benefit of the people of Ceylon. He has great influence but that influence is born out of his gentleness, dignity, his peculiar amiability and his own personality. We cannot force a man to act apart from his own nature and hope to retain his influence. If we depend upon the influence of Mr. Nehru, we must depend upon his own ways, his own manners, his own amiability and his own utter gentleness and his moral power. If we want him to be powerful, we must allow him to act in his own way. But if we give him directions from here to

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do this and to do that, in the first place, he will not do that because he is not a man who will give up his own ways and adopt other people's ways and suggestions, and even if he adopts other people's ways, it would not suit him. It has been laid down long ago in the Gita that no man can profit by acting against his own *dharma*—every man must act according to his own *dharma*—and *dharma* here means his own nature and make-up. There is no good trying to go against one's own nature. Therefore, let us leave it to the Prime Minister of India who is a great power. Let me tell my hon. Friends here that to-day the Prime Minister in Delhi is not less a power than Gandhiji was in his own time. In his own way he has a moral power of which all the biggest powers in the world are a bit nervous and are a bit afraid. Though we have no army worth mentioning, no navy worth the name, and no aircraft carrier and no personnel worth mentioning for the purpose of offensive and aggressive operations—yet we are very powerful. We seem to operate from a sphere a little higher than the air and stratosphere itself. We have got a moral level from which the Prime Minister speaks to the whole world and I do hope that the leaders of Ceylon will listen to it. We must be content with that and that is a great deal more powerful than force.

"I do not want the debate to be diluted by any references to other methods which do not apply in this case. No section can get a place in democracy on any other basis except that of democracy. Therefore, the people of Ceylon must be persuaded. We must hope and try to get it done. The people of India who have gone and settled down in Ceylon, I have no doubt, look upon Ceylon as their home, but by reason of the present conflict, one eye of theirs is turned towards India. Because of the very conflict, the poor people who have not the franchise look to India for support. That, I hope, will not mislead the people of Ceylon to imagine that these are Indians and not really people of Ceylon. Adversity compels them to look to India. I can give my own personal experience in the matter. It is the villagers, the ordinary peasant folk, that have gone there. If they return to India to see distant relatives on occasions of death or marriage or during a holiday, they do not feel at home in India and they look eagerly to the date when they will get a passage to go back to Ceylon. Economic conditions also have produced that feeling. Causes produce effects and those effects cannot be ignored. It is the poverty of India that forced our people to go there. It is the industry of these people that developed Ceylon. It is the beauty of Ceylon and the fact that Ceylon is a good place that make the people wish to live in Ceylon and be loyal to it. Let us, therefore, look at the matter in a spirit of goodwill and I am sure one day or other it will bear fruit. After all, we must depend on forces of goodwill and not on forces of pressure. In this particular case, there is no use depending on pressure and I am quite certain in my mind and I must tell my hon. Friend Sri Swaminathan that I will never agree to send this issue to the United Nations Organization; whatever the reasons may be, it is unnecessary to

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state them here in detail. We must somehow or other decide it between Ceylon and ourselves. Let us not yield to the temptation, without realizing it, of feeling more or less on imperialistic lines that our people have spread abroad all over South Asia, that we must have power everywhere, that we are a great people, and that we must fight it all out, and retain our influence and our power there. That is only a pale shadow of the imperialism which has gone from India and which we do not wish to imitate. Let us not think on those lines. Let us think on better lines, namely, that our people have gone and developed the prosperity and the wealth of the countries around us, that those people must and will recognize our place in those countries and when men have lived there permanently and even their language has been altered to a considerable extent, they must be treated as people of those countries. I can assure the people of Ceylon—many of them are my friends—that the Tamil-speaking labourer in Ceylon looks upon Ceylon as his own home and he speaks a Tamil which is different from the Tamil of the village to which he originally belonged and it is a crime to treat such people as citizens of India where they have no connexion at all and where they will only suffer if they come back. It is impossible to take these people back to India; we will never take them back to India whatever may be their misfortunes. We must make it quite clear to everybody that these people will not come back to India and that these people will be there either as a nuisance or as citizens. This is the crux of the matter. I hope that the amendment will be withdrawn and that this House will adopt this motion with one voice."

SRI R. V. SWAMINATHAN :—" In view of the reasons given by the Hon. the Chief Minister, I beg to withdraw my amendment."

The amendment was, by leave of the House, withdrawn.

MR. SPEAKER :—" The question is—

' That this Assembly expresses its deep sympathy with those citizens of Ceylon who having been settled in Ceylon for the benefit and development of the island and become citizens of Ceylon are, by a series of measures, sought to be excluded from the rights of citizenship conferred on the people of Ceylon.

' That this Assembly extends to these unfortunate citizens of Ceylon its fullest sympathy in their struggle for justice and equal civic rights.

' That this Assembly appeals to the better mind of the people of Ceylon to extend their support to their unfortunate brethren in their struggle for their legitimate rights.

' That this Assembly recommends to the Government to forward the above resolution to the Government of India for necessary action.' "

The motion was carried.

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MR. SPEAKER :—" I adjourn the House to meet again at 11 a.m. on Friday, the 13th June 1952."

The House then adjourned to meet again at 11 a.m. on Friday, the 13th June 1952.^a

VII.—PAPER LAID ON THE TABLE OF THE HOUSE.

Amendment to the Malabar Tenancy Rules, 1951.



^a Since the above announcement was made the session was prorogued on 24th May 1952,

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